Council Committees Policy

D25/42055

Banyule
City Council

Document control

Record Number	D25/42055
Date Created	1 March 2025
Next review date	2 June 2028
Business Unit	Community Impact
Responsible Officer	Sherryn Prinzi
Date of Approval	24 March 2025

Purpose

Banyule City Council values and takes pride in its diverse communities. Council is committed to the social justice principles of access, equity, participation, and rights for everyone. These principles foster cohesiveness, empower people, and improve the wellbeing of the Banyule Community.

We uphold the right of all people to have the opportunity to engage on the future of the Banyule community and collaborate to address issues that impact individuals, groups, and the whole community. Engaging and empowering people to have a say on matters that affect them builds social cohesion and advisory committees play an important role in this process.

Within Banyule there are a range of specific groups, with unique knowledge and lived experiences, who can provide specialised advice. Banyule City Council has formed committees to ensure advice from these specific groups, consisting of a diverse range of perspectives from a cross section of the Banyule community, is reflected in decision-making and to support Council to achieve an uplift in community health, wellbeing, sustainability, and prosperity.

The purpose of this policy provides a consistent approach to the establishment, administration, monitoring and review of Council's Committees on which there is a Councillor representation.

Context

In line with Section 9 of the *Local Government Act 2020* (the Act), the municipal community are to be engaged in strategic planning and strategic decision making and priority is to be given to achieving the best outcomes of the municipal community, including future generations. Further, the Act states that community engagement must be representative of the persons and groups affected by the matter that is the subject of community engagement.

Council establishes committees to foster equitable community representation. Drawing wisdom from the knowledge and lived experiences of people who live and work in the City of Banyule is pivotal to informing Council's work. Feedback from these committees is used to improve the liveability of our municipality, and to support Council to take meaningful steps to uplift outcomes of those who face barriers to opportunity and inclusion.

Following each General Election of Council (every 4 years), Council has the discretion to establish committees. If established, Councillors are appointed as delegates and substitute delegates to act as the Chair of these committees, and these appointments are reviewed annually at the Statutory Council Meeting each November following the Mayoral election.

Without a consistent committee governance structure, the value of these committees is less likely to be realised, and the experiences of members may be compromised.

The desired outcomes of this policy are:

1. The roles and functions of each committee are clearly outlined, strategically linked to the work of Council, and the outcomes measurable.
2. Committee members and professionals are empowered to share their knowledge, expertise and lived experience with Council in a welcoming, culturally safe, and supportive environment.
3. The wisdom shared by members is formally acknowledged and valued through accurate and consistent recording, dissemination, and application of insights to the work of Council.

4. The roles, functions and successes of the committees are routinely reviewed and presented to Council for consideration.

Scope

This policy applies to the adopted and endorsed Council committees.

This policy applies to all Councillors, committee members and members of staff with responsibilities for the establishment, administration, monitoring and review of committees.

Definitions

Advisory Committee	A committee established by Council to provide advice to Council on community priorities.
Conflict of Interest	A conflict of interest is where a person has private interests that could improperly influence, or may be seen to influence, their decisions and actions in the performance of their public duties.
Registered member	A person who has been appointed by Council as a member of the committee.
Co-opted member	A person invited to attend and contribute to committee meetings for a defined purpose within a defined period without formal membership status.
Contact Officer	A nominated Council staff member with responsibility for providing administrative support to the committee.
Working Group	A sub-group of a committee that is formed by the committee, for the purpose of planning or leading a specific committee project or investigating an opportunity raised by the Committee.
Terms of Reference	A document that defines the purpose and structures of a committee.
Functions	An action related to the purpose of a committee.
Councillor delegates and substitutes	An elected Councillor who has formally been appointed by Council to hold a role and position on the respective committee. The Councillor represents Council and supports the committee through this delegate position. The Councillor appointed by Council is there in a representative capacity and has no ability to make decisions on behalf of Council at the meeting.

Council Policy

General provisions

This Policy sets out the high-level objectives for Council's committees and aims to create a common ground for these to establish and function.

Council Committees

Terms of Reference

- Each committee will operate within a standard Terms of Reference.

- At the inception of any new committee, the Terms of Reference will be considered and adopted by Council.
- The Terms of Reference will include information about the purpose and key objectives of the committee, the number of members, additional selection criteria, and information about the meetings.
- A copy of the Terms of Reference for each committee will be made available to Councillor delegates, committee members, members of staff assigned administrative support functions and will be made publicly available on Council's website.
- All Councillor delegates, committee members and members of staff will abide by the Terms of Reference and all breaches of the Terms of Reference will be managed in line with this policy.
- The standard Terms of Reference will form the basis for the review of existing committees as well as the formation of any new Advisory committee.
- The Terms of Reference for each committee will be reviewed at least once in any Council term

Updating Terms of Reference

The Terms of Reference may be changed under the following provisions:

a) Changes can be proposed by Councillors, committee members and members of staff.
b) Proposed changes are to be discussed at a committee meeting with a quorum present and a recommendation, supported by most members, will be recorded in the minutes.
c) The proposed changes are to be reviewed by Council's Governance & Integrity team, to ensure compliance with this Policy, the *Local Government Act 2020*, Council's Governance rules and other relevant Council policies.
d) Administrative updates to the Terms of Reference may be approved under CEO delegation.
e) Changes to Terms of Reference resulting from a review will be presented to Council for noting.

Membership

- Each Committee membership will consist of at least one Councillor delegate and a Councillor substitute/s, and these delegations will be decided annually and recorded in Council minutes.
- Types of members will vary per committee and will be outlined in the Terms of Reference.
- Council will employ targeted methods to ensure all reasonable efforts are made to ensure the membership of the committee will reflect:
    - The demographics of the municipality - diverse cultures, beliefs, abilities, bodies, sexualities, ages and genders.
    - Subject matter expertise relevant to the committee's focus areas.
    - A diverse range of interests and experience, to provide a balance of perspectives.
    - The geographic diversity of the municipality.
    - There is a preference for a First Nations representative on each committee.
- Members, aside from Councillors, may hold a position on one (1) committee.
- Permanent members of staff of Banyule Council cannot hold a membership position on any committee.
- Council contractors cannot hold a membership position on any committee, if a conflict exists.
- Unless otherwise resolved by Council, committee members are deemed to be volunteers.
- Administrative support is provided to a committee by the directorate whose functions are most aligned to the committee's objectives. Each Committee meeting will be supported by a manager, or above and at least one member of staff to act as the Contact Officer.

Period of membership

- A term of a committee is four (4) years, with a review to occur after two (2) years. There is no maximum number of consecutive terms a member can sit.

Cessation of membership

- Except for Councillor delegates and substitutes, members can resign from the committee at any time by notifying the Contact Officer in writing.

- A member who is absent from two (2) consecutive meetings without forwarding an apology will be considered as having resigned from the committee.
- Should a member be unable to fulfill member obligations, the Manager may review their membership. To address the matter, the Manager can make recommendations to the relevant Director, including termination of membership. The Director will determine the course of action.
- In the event of termination, the member will be contacted to inform them of the decision.

Confidentiality

- Unless otherwise directed, the names of committee members will be published in agendas and minutes of each committee, and the minutes will be made available on Council's website and included in public Council meeting reports.
- Unless otherwise directed by an individual member and in line with Council's Privacy obligations, the names and email addresses of members will be shared with committee members for the purpose of organising meetings and distributing information.
- Under any other circumstance, permission will be sought in writing from individual members for personal information to be shared with any other member of staff or third party in accordance with Council's Privacy Policy.

Membership obligations

All members will be required to agree in writing to the Committee Code of Conduct.

In performing the role of committee member, a person must:

- Act with integrity, honesty and treat others with respect.
- Exercise due diligence and reasonable care.
- Impartially exercise their responsibilities in the interests of the local community.
- Avoid conflicts between their committee role and their personal and/ or professional interests and obligations, including:
    - Not making improper use of their position or make improper use of information acquired because of their position.
    - Not improperly seek to confer an advantage or disadvantage.
    - Remaining fair, impartial and avoiding the possibility for their personal interests to impact on their committee responsibilities.
- Child Safety
    - Committee members must comply with the Council's Child Safe Policy and uphold the commitment to the safety and wellbeing of children and the prevention of child abuse. As a volunteer, committee members fall under the Reportable Conduct Legislation.

Conflict of Interest

- The *Local Government Act 2020* requires that meetings conducted under the auspice of Council, including those arranged or hosted by Council require Councillors and Members of Council staff to adhere to the required conflicts of interest regime and disclosure of conflict-of-interest process.
- This is in line with their Councillor Code of Conduct and Staff Code of Conduct requirements.
- Staff or Councillors are encouraged to contact a member of Council's Governance & Integrity Team for further information about their requirements and their disclosure obligations.
- Non-Council representatives on the committee are required under this Policy to ensure that they provide the right level of transparency and integrity in their advice and recommendations.
- Conflict of interest is essentially about transparency. A failure to provide the right level of transparency or to take appropriate action may be perceived as an indicator of impropriety.
- Where a member has a conflict of interest, they must advise the Chair in writing in advance of the meeting and no later than the beginning of the meeting, where it will be noted in the meeting minutes. The member must leave the meeting during discussion of the issue in which they have a conflict of

interest. It will further be noted in the meeting minutes that the member was not present for the discussion on the item.

- A Councillor or staff member declaring a conflict of interest will complete a Conflict of Interest declaration form.
- Councillor delegates and Council staff are required to refer to Chapter 6 – Disclosure of Conflicts of Interest in the Council's Governance Rules found here for guidance, particularly at Rule 75 and 76 of the Governance Rules and Election Period Policy | Banyule Council

Delegated authority and Decision Making

Committee members act in an advisory role only and have no delegated authority to:

- Expend money on behalf of Council.
- Speak on behalf of Council.
- Speak on behalf of the Committee.
- Commit Council to any arrangement.
- Consider any matters outside its area of reference.
- Direct Council officers in the performance of their duties.
- Make decisions on behalf of Council.

Code of Conduct during meetings

- All members and guests will abide within the Committee Code of Conduct.
- Prior to commencement of their membership, members will commit to upholding the Code of Conduct in writing.
- The Manager of the relevant business unit will be responsible for addressing any Code of Conduct breaches. The standard complaints management process applies:
    - Councillor, staff or member of committee submits complaint to the Contact Officer, providing as much information as possible.
    - Contact Officer to refer to relevant manager with reference to this Policy and the Code of Conduct.
    - Action will be taken, and feedback is proved to the complainant.
- Council policies that apply to volunteers can be referenced to address code of conduct issues.
- In the event of a serious breach of the Code of Conduct, meaning repeated or persistent breaches, or a serious alleged wilful or reckless behaviour that impacts the function of the committee, a member may be suspended pending the initiation of the standard complaints management process. Suspension will be determined by the Director of the relevant business unit.
- In the case of any First Nations committee, the Terms of Reference will outline culturally appropriate means of addressing Code of Conduct breaches.

Roles and responsibilities

Role	Responsibility
Councillor delegate and substitute	• Function as the Chairperson of the committee, except in the case of the First Nations Committee, which shall have a co-Chairing arrangement. The Chairperson will: o Review and approve the agenda and request a pre-briefing meeting with Contact Officer if required. o Guide the meeting according to the agenda and time available and foster fruitful discussions. o Acknowledge and value the diverse view of members. o Give one week's notice to the Contact Officer if they are unable to attend and request the substitute delegate Chair the meeting in their absence.

	• Listen to and represent the views of the committee by acting as the bridging link between Council and the committee. • Function as an advocate on behalf of the committee on recommendations presented at Council. • Declare conflicts of interest as they arise. • Adhere to the obligations set out in the Committee Policy and the Code of Conduct.
Manager or delegate	• Provide support to the Councillor delegate and substitute during the meeting, including chairing meetings if Councillor is unavailable. • Support the Councillor and substitute to respond to member questions and statements, where outside the scope of the Contact Officer expertise. • Provide advice on the development of recommendations. • Assist members to abide by the Code of Conduct and act if there are breaches in line with the Policy. • Adhere to the obligations set out in the Committee Policy and the Code of Conduct.
Contact Officer	• Function as the key contact for all members. • Support individuals to access reasonable support to enable meaningful and informed engagement. • Organise and monitor the workplan of the committee. • Provide access to objective, relevant and timely information to inform the participation of members between meetings, in formats that is accessible to members. • Prepare and distribute agendas and minutes of the meetings, and ensure the minutes and recommendations made by the committee are presented to Council each quarter. • Complete the Record of Council Meeting Form within 48 hours of each meeting. • Follow up on actions identified in meetings. • If unavailable, arrange for a suitable substitute to perform these duties. • Routinely review the participation and achievements of the committee. • Adhere to the obligations set out in the Committee Policy and the Code of Conduct.

Members	• Required to attend a minimum of 60% of all meetings.
	• Inform the Contact Officer of inclusion needs, including dietary and access requirements.
	• Prepare for and actively participate in meetings including:
	  ○ RSVP to meeting requests.
	  ○ Reading agendas and support information prior to the meeting.
	  ○ Responding to the requests for input into and/or feedback on Council activities, policies, and reports, including through community consultations.
	  ○ Taking an active role in communicating the views of residents, community, and organisation during the meetings.
	  ○ Keeping the committee informed of current and emerging developments, issues, opportunities, and activities relevant to the role of the committee.
	• Respond to communications from Council between meetings in a timely manner.
	• Share information from Council with your relevant networks as requested.
	• Support Council events and initiatives, where possible.
	• Volunteer for working groups in connection to the Advisory Committee, as appropriate.
	• Assist Council with the evaluation and review of the Committee upon request.
	• Declare conflicts of interest as they arise.
	• Adhere to the obligations set out in the Committee Policy and the Code of Conduct.

Co-opted members	• In addition to sharing the same responsibilities as members, for the period defined upon appointment, co-opted members will provide subject matter advice to the committee in line with the committee agenda. • Declare conflicts of interest as they arise. • Adhere to the obligations set out in the Committee Policy and the Code of Conduct.
Guest speakers	• Participate in meetings under the guidance of the Chair, Manager and/or Contact officer. If seeking to present to a committee, consult with the nominated Contact officer at least six (6) weeks prior to a committee meeting. • Prepare a briefing and presentation to support committee members to engage. • Collaborate with the Contact officer to tailor presentation and questions to enable meaningful engagement, participation, and feedback from members of the committee. • Provide a summary of the impact of the committee feedback to the contact officer, for tabling at a future committee meeting. • Adhere to the obligations set out in the Committee Policy and the Code of Conduct.
Guests	• Participate in meetings under the guidance of the Chair, Manager, and/or Contact Officer. • Declare conflicts of interest as they arise. • Adhere to the obligations set out in the Committee Policy and the Code of Conduct.
Working groups	• Participate in working groups under the guidance of the assigned Council Officer.

	• Declare conflicts of interest as they arise. • Adhere to the obligations set out in the Committee Policy and the Code of Conduct.
Champions groups	• Register as a Council volunteer and inform Council of changes to information • Adhere to Code of Conduct • Participate with a genuine desire to make a positive impact for the Banyule community • Participate in Champions group under the guidance of the assigned Council Officer

Appointment of members

A fair and transparent process will be adopted to attract and select community and organisational members to the committee.

Recruitment process

- The essential and desirable selection criteria for committee membership will be described in the Terms of Reference.
- When applying for membership on a committee, an applicant will address the eligibility criteria.
- Support to apply for membership will be offered, as requested.
- Applicants may be asked to provide a character reference, upon request. The referee will be a person unrelated to the applicant.
- Applicants may be asked to complete an in-person interview.
- Leading up to the expiration of the committee term, or at the establishment of a new committee:
    - An Expression of Interest that invites applications from community members and organisations for the following term will be advertised via Council's communication channels and networks for a period of no fewer than fourteen (14) days.
    - Multiple avenues will be provided for the submission of Expressions of Interest, including but not limited to:
        - Online form
        - Printed/ hard copy form via post or delivered to Council in-person
        - Via an advocate.
    - Key organisations deemed critical to the success of the committee may be recruited directly by Council Officers, via a letter from the Director.

Selection process to establish a committee term

- An assessment panel, consisting of a Business Unit Manager and two (2) Council officers will convene to assess the applications against the selection criteria and the diversity principles specified in the Terms of Reference.
- Only applicants that meet the essential criteria described in the Terms of Reference will be considered for membership. Members will be selected based on the information provided in the application. Where appropriate, applicants may be contacted for further information to aid decision making.
- The assessment panel will make a recommendation regarding the filling of vacancies to Council via a report and Council will decide on appointments. The decision of Council is final.
- All persons who submitted an EOI will be notified of the outcome of their application in writing. Should the applicant be unsuccessful, Council will provide the reasons why in writing and will be available to respond to follow up questions upon request.

Casual vacancies

- During the term of the committee, Expressions of Interest can be submitted at any time.

- Should positions become vacant during the term of the Committee, previous unsuccessful Expressions of Interest that meet the essential selection criteria will be considered to fill the vacancy.
- Should there be no suitable previous applicants, representatives from specific cohorts can be sought out to join the Committee to ensure adequate representation as per the Terms of Reference.
- The Director of a relevant directorate has the delegation from Council to approve appointments to the Committee and fill vacancies that arise through the term of the committee.

Co-opted members

The Committee may invite suitably skilled persons to join the committee as a co-opted member for a specified purpose and period. A co-opted member joins the committee in an advisory capacity only and does not form part of the quorum. Co-opted members do not propose or vote on recommendations.

Guests

Other persons, including eligible prospective members and subject matter experts (including council officers) addressing a specific agenda item, can be invited to attend a committee meeting by the committee, via the Contact Officer. Guests may only observe the meeting and may only speak if invited to by the Chair. They can be directed to leave the meeting if they do not comply.

Leave of absence

- A committee member may request a leave of absence from the committee at any time, without explanation.
- Requests for extended leave of absence due to exceptional circumstances must be in writing to the committee's Contact Officer.
- A period of no more than 6 months may be requested.
- During a leave of absence period, a member is not eligible to receive a benefit offered by Council, including sitting fees where applicable.
- In the event the committee member is unable to return to the committee after that period of absence, resignation from the committee will be required, unless exceptional circumstances apply.

Induction and orientation

An induction and orientation process will be offered to all members at the beginning of the term of the committee. This process will include:

- Briefing members on the expectations and requirements of membership of the committee.
- Governance training, aimed at providing members with an overview of the structures and decision-making processes of key stakeholders, including Council, and how to formulate a recommendation.
- Introduction to any policies, plans or strategies.
- Overview of Banyule's diverse communities, the concept of intersectionality and key issues identified.
- Establishing clear objectives and priorities for the two-year term of the committee.
- Where appropriate, additional training relevant to the role may be offered to committee members.
- An abridged induction and orientation will also be offered to new members who join a committee during the committee's term.

Working groups and supporting groups

- Working groups of the committee may be established as required to provide an additional opportunity for members to work collaboratively on specific issues, opportunities, or projects.
- Membership on working groups will be open to all members, co-opted members and non-members.
- A committee working group member will be nominated to provide feedback at the committee meetings.
- Other supporting groups can be established for the purpose of elevating the voices of harder-to-reach or marginalised people.

Meeting principles

- Meetings are to be held at a time and place determined by Council.

- Committees are not required to give public notice of their meetings and meetings are not required to be open to the public.
- The frequency and duration of meetings will be scheduled in advance and outlined in the Terms of Reference.
- Meetings may be held face-to-face, online or a combination of both.
- Meetings will commence on time and conclude by the stated completion time, unless otherwise agreed by the committee.
- Discussion will focus on the relevant issues at hand in line with the stated purpose and objectives of each committee.

Quorum

- A meeting quorum is half plus one of the registered members.
- A Councillor is not required to form the quorum.
- Council staff and guests cannot be represented in the quorum.
- Should a quorum of members not be reached, the meeting can continue under the following conditions:
    - The minutes will state that a quorum was not reached.
    - The minutes shall be a representation of the meeting and recommendations cannot be made.

Agendas and minutes

- A call to the membership for agenda items may be issued two weeks prior.
- A standard agenda will be used, and will include introduction, minutes from the previous meeting, standing items, and new business.
- Confirmed agendas and associated papers will be distributed at least one week prior to the meeting.
- Minutes will record:
    - Attendees (Councillors, members, guests, Council officers) and apologies
    - Any occasion a Councillor arrives or leaves after the official commencement of the meeting
    - Date, location, start and finish time
    - Chair and minute taker
    - Actions from previous meeting, where applicable
    - Brief outline of each agenda item (topics discussed) and a summary of the key discussion points of members
    - Record of follow up actions required
    - Recommendations agreed by consensus
    - Declaration of conflicts of interest
    - Record of establishment of working groups, and registration of members
    - Next scheduled meeting
- Specific committee member comments will not be attributed to a member in the published minutes, unless a request is made by a member, the request is supported by the Chair and Manager and committee reaches a consensus.
- Members will be notified when the minutes are published on Council's website.

Making recommendations

- A recommendation is an action item the committee decides to draw to the attention of Council, for their consideration and possible adoption.
- A recommendation:
    - Will align with the Banyule Community Vision 2041.
    - Will be specific, measurable, and actionable within the term of the Council.
    - Will be a request for Council consideration.
- A recommendation cannot:
    - Direct Council to undertake a specific action.

    - Request Council to act in a manner country to Council duties, powers and functions.
- With the assistance of the Manager and Contact Officer, the proposed wording of the recommendation will be drafted during the meeting and the premise of the recommendation will be agreed through consensus by members and noted in the meeting minutes. Neither Councillors, nor Council staff, including the Contact Officer, have voting rights.
- Following the meeting, and before the minutes are finalised, Council may deliberate on the draft wording of the recommendation to ensure it meets the requirements specified in this policy.
- Should Council change the draft wording, the relevant Contact Officer will notify the committee members of the change and note the alternative wording in the minutes of the meeting.
- After the recommendation has been considered by Council, the Chair will communicate Council's decision and rationale for the decision to the committee at the following meeting after the Council decision is made.

Voting

As Council committees are advisory in nature, voting on issues and actions is not required. Any action and recommendation will generally be developed through consensus. Where a matter cannot be agreed, the differing options will be clearly expressed in the meeting minutes.

Supports

- Members and guests are entitled to reasonable supports to enable meaningful and informed engagement.
- On an ongoing basis and/or as required, members and guests will be invited to share information about their support needs with the Contact Officer so that reasonable supports can be organised.
- Reasonable supports will include, but are not limited to:
    - Hearing loops
    - Translators
    - Transport vouchers
    - Childcare reimbursements.
- Council will provide reasonable meals for committee meetings that immediately precede, follow, or extend through typical mealtimes. Consideration will be given to the cultural and dietary needs of members. The provision of meals will be determined within the capacity of the relevant department's budget.
- For First Nations members, reasonable supports may also include a $60 sitting fee per meeting, as defined by the committee's Terms of Reference.
- As per Council resolution CO2023/142, eligible non-First Nations community members may be offered an annual honorarium after attending at least 60% of annual meetings.

Joint Committee meetings

From time to time, Council's committees may decide that a joint meeting of two or more committees would benefit from working together to progress the work of a committee, or for sharing ideas and providing updates on key issues of relevance in progressing the work of the Council Plan.

Such committee meetings will only occur where requested and agreed by two or more committees and will follow the principles set out in this Policy.

Monitoring and reporting

Committees are considered informal meetings involving Councillors and in accordance with the Banyule Governance Rules the details of the meetings including topics discussed, attendees and any conflicts of interest declared will be recorded and tabled at the next convenient Council meeting; and recorded in the minutes of that Council meeting.

Record of Meetings to be tabled at Council Meetings

- A Record of Council Meeting form will be completed and lodged with the Governance Team within 48 hours of each committee meeting.
- The minutes of meetings will be approved by the Manager of the relevant department prior to being placed on Council's website for viewing within four (4) weeks of the meeting.
- A summary of committee meetings will be presented quarterly to Council via a report, including:
    - Recommendations and requests arising from meetings
    - Key discussion points supporting the formation of recommendations and any other points of interest
    - Acknowledgements
    - Confirmation minutes have been published on Council's website.
- Responses to recommendations will be determined based on Council's legislative role, stated commitments in Council's policies and plans and budgetary processes.

Review

Committees must be reviewed on a regular basis, with a review date not exceeding a four (4) year period. If the committee has a relevant function at the end of the standard review period, a report must be presented to Council including a review of the committee's Terms of Reference and seeking endorsement from Council to continue to act for a further period.