

Disability Advisory Committee

Terms of Reference

15 November 2022

1 Purpose

People with disability often face physical and attitudinal barriers that can prevent them from participating fully in community life. Brimbank City Council (Council) is committed to ensuring that people with disability are afforded the same rights and opportunities to live, work and socialise as everyone else.

The purpose of the Disability Advisory Committee (DAC) is to oversee and support the implementation of the Disability Action Plan 2022-2026.

2 Objectives

The Committee's objectives are to:

- Help support people with disability, their families and carers
- Remove the barriers preventing people with disability leading happy and fulfilling lives
- improve access and inclusion for people with disability
- Share information and build relationships to foster a deeper understanding of disability issues in Brimbank
- Provide feedback on the Disability Action Plan Implementation Plan and annual Community Report Cards

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3 Extent of Authority

- 3.1 The Committee acts in an advisory capacity to Council and is not a committee established by Delegated Committee in accordance with section 63 of the *Local Government Act 2020*.
- 3.2 The Committee does not exercise any power of Council.
- 3.3 The Committee has no power to commit Council to any decision or action.
- 3.4 The Committee has no power to direct Council officers in their duties.

4 Committee Behaviours

- 4.1 The Committee will be guided by Council's values and behaviours:
- We act with Integrity
 - We find Better Ways
 - We are Respectful
 - We work Together
- 4.2 All members are required to refrain from bullying and harassment.
- 4.3 All members must engage in behaviours that are respectful, tolerant, courteous and collaborative.
- 4.4 Committee members who are Councillors will comply with the Councillor Code of Conduct.
- 4.5 Committee members who are staff members of Brimbank City Council will comply with the current employee Code of Conduct while performing duties as committee members.
- 4.6 Members who are not staff members or Councillors are required to meet the standards of Committee behaviours in this section and are further required to keep all information that is provided as a consequence of their membership in the Committee confidential.
- 4.7 The Chair has the ability to remove members from a committee meeting or revoke membership of the committee if they deem any non-staff or non-Councillor member is engaging in behaviours that do not meet the required standards.
- 4.8 The CEO has the ability to remove any non-Councillor member from this committee where it is believed that a member is engaging in behaviours that create a risk to the health and safety of other members.

5 Conflicts of Interest

- 5.1 The Committee will recognise that members will have different obligations and methods of disclosure under the *Local Government Act 2020* and the Brimbank Governance Rules.
- 5.2 Committee members must disclose any General or Material Conflicts of Interest prior to their appointment, and on an ongoing basis, in accordance with the *Local Government Act 2020* and the Brimbank Governance Rules.
- 5.3 Committee members will disclose to the Committee at, or before, each meeting if they have disclosed any Conflict of Interest in accordance with their obligations under the *Local Government Act 2020* or the Brimbank Governance Rules in relation to any matter to be discussed in the agenda at that meeting and identify the relevant item of the agenda for which the Conflict exists.
- 5.4 A Committee member who is not a relevant person under the *Local Government Act* will disclose any potential or perceived conflict of interest to the Chair on appointment to the Committee and on an ongoing basis and identify the relevant item of the agenda for which the Conflict exists.
- 5.5 Committee members must absent themselves from discussions in relation to matters which they have disclosed a conflict of interest.

6 Membership

6.1 The Committee will comprise of at least twelve members:

- Three Councillor/s (one of which will be Co-Chair)
- Three Council officers, including:
 - Director, Community Wellbeing
 - Manager, Community Strengthening and Social Planning
 - Community Strengthening (secretariat support)
- Two Disability Support Agency representatives
- One carer
- Six people with lived experience of disability (one shall be the chairperson of the Brimbank Disability Network Group)
- The Chairperson of the Brimbank Disability Network Group will Co-Chair the DAC alongside a Councillor
- The term of the Co-Chair (Disability Network Group) will align with the Brimbank Disability Network Group elections.

6.2 The Council officer positions do not hold voting rights.

6.3 Committee members commit themselves to functioning in an environment that creates and extends opportunities for:

- cooperative engagement and mutual support
- honesty, trust and inter-agency partnerships
- collaboration in pursuit of the Committee's purpose and objectives

6.4 In the event that the primary representative of a member organisation is unable to attend, a delegate should be nominated.

6.5 The Co-Chairs, in consultation with the Committee, may co-opt additional members on an ex-officio basis where specific skills or experience will assist the work of the Committee.

7 Recruitment

7.1 Council will appoint Councillor representative/s to the Committee.

7.2 The Director, Community Wellbeing will appoint other members to the Committee, and fill vacancies as they arise.

7.3 Appointments will be reviewed annually, or as needed.

8 Procedures

8.1 The Committee will be led by Co-Chairs, whose role is to:

- Ensure meetings are scheduled and committee members are notified
- Invite specialists to attend meetings as required
- Guide the meeting according to the agenda and time available
- Ensure all discussion items end with a decision, action or definite outcome
- Review and approve the agenda and draft minutes before distribution

- 8.2 The Chairperson of the Disability Network Group will Co-Chair the DAC alongside a Councillor.
- 8.3 The Chair role will be on a rotation basis with the first meeting being chaired by a Councillor.
- 8.4 In the event that the Chairperson is not able to attend, the Co-Chair will act in the role. If the co-Chair is also unavailable, the Director, Community Wellbeing (or delegated officer) may act in the role.
- 8.5 Attendance by non-members:
- Meetings are not open to the public
 - Non-members (including other Council officers, external organisations, and Councillor representatives) may attend at the invitation of the Chair and/or the Director of Council's Community Wellbeing directorate (or equivalent)
- 8.6 Any decisions made by the DAC will be made by consensus, recognising that the DAC acts in an advisory capacity to Council.
- 8.7 The DAC may establish sub-committees to, as required.

9 Meetings

- 9.1 The Committee will meet four times per year for approximately two hours.
- 9.2 Meetings will be held during usual business hours, unless otherwise agreed to by the Committee.
- 9.3 The location of meetings will be determined by the Committee.
- 9.4 Council officers will provide administrative support to the Committee for the purpose of:
- Convening meetings, i.e. booking meeting rooms, arranging invitations, providing catering and overseeing guest speakers as required
 - Preparation and distribution of agendas and minutes
 - Minute taking

Minutes and Agendas

- 9.5 Agendas will be distributed to Committee members at least one week prior to each meeting.
- 9.6 Minutes will be distributed within two weeks of the meeting being held.
- 9.7 The Committee will be required to endorse the minutes as a true and accurate record at the commencement of the next meeting.

Quorum

- 9.8 A quorum of six members is required.

Absences

- 9.9 Committee members must advise the Director or Council officer if they are unable to attend a meeting.

- 9.10 If a Committee member is absent for three consecutive meetings without notice or justifiable reason, the Co-Chairs, in consultation with the Committee, will review, and may cancel, their membership.

Attendance by non-members

- 9.11 Meetings are not open to the public.
- 9.12 Non-members may attend at the invitation of the Chair.

10 Confidentiality

- 10.1 From time to time the Committee may discuss or be provided with material that must remain confidential. Such items and discussions will be identified at the time. All Committee members will be required to maintain confidentiality.
- 10.2 The Co-Chair (Councillor) of the Committee is the media spokesperson.

11 Committee Member Entitlements

- 11.1 Participation in the Committee is on a voluntary basis for all members of the public.
- 11.2 Committee members will be reimbursed for necessary out of pocket expenses incurred while performing duties as committee members, with such reimbursements to be made in accordance with Brimbank City Council policy and guidelines.
- 11.3 Staff members are entitled to be remunerated for their time spent on Committee activities as per their current employment agreement.
- 11.4 Councillors are able to claim expenses in accordance with Brimbank's expense policy. Any expenses claimed by Councillors in their capacity as Committee members will be reviewed by Council's Audit and Risk Committee and reported publicly.

12 Review

The Terms of Reference will be reviewed and adopted by Council at the start of each new Council term.

13 Schedule - Documents Incorporated by Reference

- 13.1 Committee members will comply with the policies and protocols included in the following Documents Incorporated by Reference.
- Brimbank City Council Employee Code of Conduct
 - *Local Government Act 2020*
 - Brimbank Governance Rules
 - In the Public Interest: A conflict of interest guide for councillors, delegated committee members and council staff