

Report to the Future Melbourne Committee
Advisory Committee Terms of Reference Review - for Disability Advisory
Committee (DAC) and Family and Children's Advisory Committee (FCAC)

Agenda item 6.5

1 June 2021

Presenter: Alison Duncan, Director Community Services

Purpose and background

1. The purpose of this report is to seek endorsement to update the Terms of Reference (TOR) for Disability Advisory Committee (DAC) and Family and Children's Advisory Committee (FCAC).
2. The DAC, established in 1999, provides strategic advice responding to the needs and aspirations of people of all abilities who live, work, study or visit the city and supports the implementation of the Disability Access and Inclusion Plan (DAIP) 2021-2024.
3. The DAC is comprised of twelve members with a minimum term of 3 years (1 term) and a maximum term of 6 years (2 terms) and is reviewed every three years.
4. The FCAC was established in 2007, provides strategic advice to Council on matters affecting families and children aged 0 – 12 years.
5. The FCAC is comprised of ten members with a minimum term of 2 years (1 term) and a maximum term of 4 years (2 terms) and is reviewed annually.
6. The proposed update includes alignment with Council's plans and ensuring both TORs are reviewed within the same timeframe. The DAC amendments include a change to the remuneration fee.

Key issues

7. The DAC review proposed remuneration of \$200 per meeting (two hours) for all committee members and removing eligibility criteria. It is management's view that given the length of advisory meetings, the expertise of committee members and the quality of the advice the fee increase is appropriate.
8. The current DAC sitting fee of \$150 is only available to eligible members who are unemployed or on benefits and has not increased for ten years. The new fee will increase the total annual amount paid for sitting fees from \$6,600 to \$9,600. The fee will be reviewed every three years in line with the TOR review.
9. Recent consultation with the Victorian Disability Planners Network established that no other local government provide remuneration fees to members.
10. The FCAC Terms of Reference update contains minor changes to language, references to Council initiatives and improvements for feedback to the Committee on advice they have provided to Council.
11. All amendments are highlighted in the attached TOR documents (Attachment 2 and 3).

Recommendation from management

12. That the Future Melbourne Committee endorses the updated Terms of Reference for the Disability Advisory Committee (Attachment 2 of the report from management) and Family and Children Advisory Committee (Attachment 3 of the report from management) and notes these changes come into effect on 1 July 2021.

Attachments:

1. Supporting Attachment (Page 2 of 16)
2. Terms of Reference – Disability Advisory Committee (Page 3 of 16)
3. Terms of Reference – Family and Children's Advisory Committee (Page 9 of 16)

Supporting Attachment

Legal

1. No direct legal issues arise from the recommendation from management.

Finance

2. The cost of all twelve Disability Advisory Committee (DAC) members being paid a remuneration fee for four meetings per year equates to \$2,400 per meeting (\$9,600 annually) and is budgeted in the 2021-22 draft budget.

Conflict of interest

3. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a material or general conflict of interest in relation to the matter of the report.

Health and Safety

4. Occupational health and safety issues in convening of DAC meetings are addressed in a risk assessment that includes online participation.

Stakeholder consultation

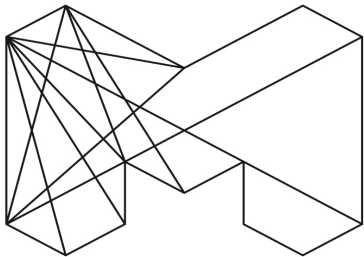
5. The DAC was consulted in the review of the Terms of Reference (ToR) in 2020.
6. The Family and Children's Advisory Committee was consulted in review of the ToRs in 2020.

Relation to Council policy (if applicable)

7. City of Melbourne's commitment to convene a DAC is included as an action in City of Melbourne's Disability Access and Inclusion Plan 2020-2024, Embracing Equity in Participation endorsed at the Future Melbourne Committee meeting of 15 September 2020.
8. The updated DAC ToR proposes to include a reference to the new Local Government Act 2020 regarding deliberative engagement, to align with the Disability Inclusion and Access Plan 2020 – 2024 and amend the remuneration amount and criteria for membership.

Environmental sustainability

9. The convening of the DAC and FCAC meetings consider City of Melbourne's commitment to environmental sustainability.



CITY OF MELBOURNE

TERMS OF REFERENCE

CITY OF MELBOURNE

Disability Advisory Committee

2020 - 2023

Purpose

The City of Melbourne's Disability Advisory Committee (the Committee) is a consultative forum that provides strategic advice on policy and practice issues to the administration and Council. This advice assists Council in responding to the needs and aspirations of people of all abilities who live, work, study or visit our city.

Background

The *Local Government Act 1989* stipulates that the role of a Council is to represent the diverse needs of the local community, address the health and wellbeing needs of community members and foster community cohesion by encouraging active participation in civic life.

In 1999 the City of Melbourne demonstrated its commitment to being a welcoming, engaging and inclusive city by establishing a Committee to advise Council on the needs, views and aspirations of people of all abilities.

Role

The Committee provides an ongoing civic engagement process where people with a disability can advocate to Council on barriers and access issues that impact on their life opportunities and experiences within the City of Melbourne and more broadly within society.

Objectives

The Committee will:

- Represent issues that impact on the life opportunities of people of all abilities;
- Advise on 'best practice' in universal access planning **and co-design engagement**; and
- Participate in the development of Council's Disability Action Plan.

Membership

Advisory Committee Members

There will be twelve (12) community members comprising individuals with personal and/or professional experience, expertise and commitment to improving equity of access in all aspects of life in the city

Of these, nine (9) members will have direct personal experience of disability. Three (3) members will be appointed as professionals from academia, tourism and the business sector, **with a commitment to universal access and** that can influence equity of participation of people with disability.

Membership will be representative of the diversity of our community with reference to:

- ability
- age
- sex and sexual identification
- Indigenous and aboriginal
- cultural and linguistic background
- socio-economic status.

Under Section 12 of the Equal Opportunity Act 2010, a dedicated Indigenous membership has been considered to support Aboriginal representation on the Committee.

The City of Melbourne is committed to fostering a culture of deeper public participation and have developed a policy, as part of the Local Government Act 2020 that commits to deliberative engagement practices.

Member expertise

The Committee membership will be sought on the basis of achieving a representation of a diverse range of people with mobility, sensory, cognitive, intellectual and/or cognitive disabilities

Members will have expertise and/or experience in one or more of the following areas:

- expertise in advocacy on disability access issues
- first-hand experience of disability
- governance experience
- human rights, social inclusion, empowering people and building on people's strengths and knowledge
- an understanding of City of Melbourne's community and capital city roles
- demonstrated links to community and neighbourhood relationships
- operators of the business and tourism sectors within the City of Melbourne
- an academic with expertise in disability and equity of access.

Members will be recommended to Council for endorsement by the nominated Chairperson, by the Director or General Manager of Community Services and City Services.

Terms of Membership

- Community members will be appointed following a formal expression of interest submission
- Members will be appointed as individuals for a period of three (3) years

- Members may seek re-appointment for a further three year term
- The maximum term will be for a period of six (6) years
- Any member who fails to advise of an absence of up to three (3) meetings, in a calendar year, will be deemed to have resigned
- Vacancies will be filled as soon as possible
- Committee members may be required to undergo a Police and/or Working with Children checks.

Committee structure

Committee membership will comprise:

- a Councillor, will chair the meetings with a **nominated committee member as co-chair**
- **people with expertise in identifying barriers and promoting equity of access for people with** a variety of disabilities including mobility, sensory, cognitive, **psycho-social** and/or intellectual
- Director of applicable branch
- at least one senior officer from a relevant branch of Council.

Support functions will be performed by a Council officer within the Community and City Services Division.

Appointment

The Committee will be appointed for three years through a public expression of interest process and proposed members will be referred to the Future Melbourne Committee for endorsement.

Meetings of the Committee

The Committee will meet **at least four** times annually and on special issues as a working group as required.

Meetings will also be held at the Town Hall in Swanston Street between 3.00pm – 5.00pm on an agreed work day and available online. Light refreshments will be provided at face to face meetings.

Operation and working group meetings

- All new members will participate in an induction process
- Members may nominate to attend **and participate in working group to explore identified issues** and present recommendation/s for endorsement at the Disability Advisory Committee
- Members already receiving a remuneration fee for attendance at the Disability Advisory Committee meeting only.

Council support for committee members

Resources, including printed materials will be provided (if required) by Council.

Council will provide interpreters, carers, cab vouchers, car parking vouchers and any other requirements (as advised) to support members to attend and participate in committee meetings

A remuneration fee of \$200 will be paid to all members, excluding Council staff and Councillor Portfolio holders for attendance at meetings.

Review

The Terms of Reference will be reviewed every three years. Next review due November 2023.

Media

The Chair of the Disability Advisory Committee is the media spokesperson for the Advisory Committee.

Reporting

The Committee will provide strategic advice to the City of Melbourne through the Chairperson and will report to Council through the Chair of Future Melbourne (People City) Committee on matters of importance or priority.

Protocols

As an appointed advisory committee of Council, the Committee will be chaired by the Chair of Council's Future Melbourne Committee (People City) or another nominated Councillor.

The roles and responsibilities of the Council:

- to Chair the Committee (Chair of Council's Future Melbourne (People City) Committee or another nominated Councillor)
- to support the active engagement of all members
- facilitate a collaborative meeting format
- to support Committee members to fully engage in the issues on the table by providing information and research findings in a timely and accessible manner
- to co-opt additional support and/or sub committees as required
- to provide policy and secretariat support to the Committee
- to coordinate meetings, agenda and minutes.

Meetings will include management representatives from the City of Melbourne who have significant responsibility for planning, decision making, service delivery and implementation of policy and programs in relation to disability access and inclusion.

The roles and responsibilities of committee members:

- to be fully prepared for meetings
- to agree to participate in a collaborative meeting format
- to bring personal, professional knowledge and broad community experience to the table
- to consider and raise relevant issues, proposals and ideas
- to provide informed advice and guidance

Code of Conduct and interest provisions

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

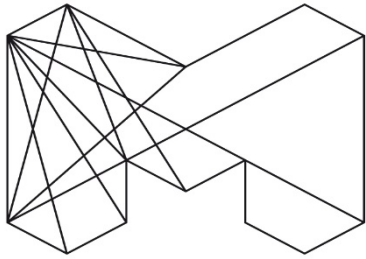
- Act honestly
- Exercise reasonable care and diligence
- Not make improper use of their position
- Not make improper use of the information acquired because of their position
- Adhere to City of Melbourne Code of Conduct¹

Where the member of the committee has an interest or conflict of interest in relation to a matter in which the committee is concerned, or is likely to be considered or discussed, the member must disclose the interest to the committee before the matter is considered or discussed at the meeting. Disclosure must include the nature of the relevant interest and be recorded in the minutes of the meeting.

Confidential and sensitive information

- Members are expected to comply with the confidential information provisions contained in Sections 77 and 89 of the *Local Government Act 1989*.
- Members must treat information they receive as confidential unless otherwise advised. The documents presented to the Disability Advisory Committee will often be in draft format and not ready for wider community distribution.
- Members must not use confidential information other than for the purpose of performing their function as a member of the advisory committee.
- Draft documents cannot be referred to or used in any grant applications, presentations or in the private or working roles of members.

Good Governance Advisory Board (2004) *Good Governance Guide*



CITY OF MELBOURNE

TERMS OF REFERENCE

CITY OF MELBOURNE

Family and Children's Advisory Committee

2020 - 2023

Purpose

The City of Melbourne Family and Children's Advisory Committee (FCAC) was established in August 2007 and brings together people with broad and diverse knowledge and experience of issues relating to families and children. The FCAC is an important point of contact between Council and families with children from 0 – 12 years.

The purpose of the FCAC is to provide the Council with advice on family and child related issues that can be dealt with at Council level. Council has roles and responsibilities at both a local and neighbourhood level and as the capital city of Victoria. The Committee will work with the Council to address issues, develop alternatives and assist with the identification of preferred solutions as part of Council's decision making process.

The Committee will advise on the implementation of the **Council Plan 2017-2021 and new Council Plan once endorsed**, safeguarding the interests of children and families as well as supporting broader community interests and opportunities. The Committee's role will be advisory and is not a decision making body.

Objectives

Advise on issues relevant to the children and families within the municipality:

- Assist to achieve and embed the **Council Plan** into services, planning and policy that relates to family and children.
- Advocate integrated approaches across the life continuum.
- Monitor family and children's action items in the Council Plan.
- Participate in family and children events to support the Council Plan, as requested. These may be consultation or advisory events that include representatives for portfolios including disability, children and family, youth and older persons.
- Consider matters referred by Children and Family Services and Council policies and strategies.
- Advocate community views on families and children.
- Provide advice on how best to inform community on family and children's issues.
- Provide strategic, expert and impartial advice to Council on policies, strategies and plans to advance children and family services.

Outcomes

The outcomes we will work towards over the **next 3 years** will include:

- People feel welcomed and included - eliminating or reducing barriers to enable participation and full enjoyment of everything the city has to offer.
- People are safe- people of all ages and abilities feel physically and emotionally safe at home, at work and in the community. Children are safe from abuse and harm.
- People are healthy and well- ensuring that the right information, programs and facilities are available in the right places to support physical and mental health, good nutrition and access to green spaces.

- Children and families have access to quality early years programs- supporting people to be engaged in formal and informal learning throughout their lives so that they gain knowledge, opportunities, independence and confidence.
- People have opportunities to understand and acknowledge their Aboriginal history, heritage and identity
- Aboriginal and Torres Strait Islander peoples contribute to the city's cultural, social and economic life.

Membership

The Committee will include ten community representatives with personal and/or professional experience and expertise in family and children's issues. Under section 12 of the Equal Opportunity Act 2010, a dedicated Aboriginal membership has been considered to support Aboriginal representation on the Committee. This special measure recognises the importance of Aboriginal representation to advise Council on the views and interests of Aboriginal people in the municipality. The inclusion of an Aboriginal member aligns with Council's Plan 2017-21 Goal: A city with an Aboriginal focus.

The City of Melbourne will seek members who are knowledgeable and prepared to engage in exploring issues and opportunities and provide advice to Council. It is preferable to have members who work or reside in a range of geographical areas across the City of Melbourne and represent the diverse demographics, skills and expertise within the municipality. **City of Melbourne will seek members that are representative of the diversity of our community with reference to:**

- **disability**
- **age**
- **sexuality and gender identity**
- **Aboriginal and Torres Strait Islander**
- **cultural and linguistic background**
- **socio-economic status.**

Fields of knowledge

Members of the Committee may have experiences in one or several of these fields:

- City of Melbourne (LGA) and Council
- State and Federal family and children's policy directions
- Child Safe Standards and Reportable Conduct
- Children's rights
- Integrated child and family services
- Community development and planning
- Engagement with children
- Planning or delivering services and infrastructure

- Family services
- Early education and lifelong learning
- Safety including family violence (in the home, workplace, in public spaces)
- Mobility, access and inclusion
- Health and Wellbeing
- Natural and urban environment
- Matters affecting culturally and linguistically diverse (CALD) groups
- Matters affecting lesbian, gay, bisexual, trans, intersex and **queer** (LGBTIQ) community
- Matters affecting Aboriginal community
- Matters affecting people with a disability

Terms of Membership

- The appointment of community representatives will be made by the City of Melbourne, Chief Executive Officer in consultation with the Chair, based upon responses to a formal Expression of Interest submission.
- Appointments will be staggered to ensure continuity.
- New members will be appointed for a period of up to two (2) years.
- Members may seek re-appointment for a further two (2) year term.
- The maximum term will be for a period of up to four years.
- A member who is absent from two consecutive meetings, without forwarding an apology, will be assumed to have resigned.
- Members wishing to resign their position on the Committee may do so at any time by providing written notice to the Chair of their intention to resign.
- Vacancies will be filled as soon as possible.
- All committee members must have a current working with children check during the term of membership.
- All members are expected to comply with the City of Melbourne Child Safe Commitment Statement, the Victorian Reportable Conduct Scheme and the organisation's Code of Conduct.

Appointment process

Members will be selected on the basis of the following criteria:

- Experience in child and family policy development, planning and program delivery.
- Demonstrated leadership in strategically positioning children and family services in line with government reform and policy direction.
- Capacity to engage others in achieving shared goals and priorities for children and family development.
- Experience in measuring outcomes and impact.
- Specific areas of expertise to contribute to the Committee (as outlined above).

Method of nomination and appointment

Nominations for appointment to FCAC will be advertised online and interviews of short listed applicants are conducted.

Committee structure

Committee membership will comprise:

- Chair of Council's Future Melbourne Committee (People City portfolio) or another nominated Councillor (Chair)
- **Director** of Community Services
- Team Leader, Planning and Performance, Community Services
- Team Leader, Children's Services
- Team Leader, Family Services
- Senior Planning and Performance Officer (Secretariat)
- Ten community representatives, including dedicated Aboriginal representation.

Meetings of the Committee

- Meetings will be held on a quarterly basis and members are expected to attend all meetings.
- Meetings will be held at the Town Hall in Swanston Street between 5.30 pm – 6.30pm on a Monday night.
- Working groups and sub committees will be established as required.

Council support for committee members

- The Committee will operate on a voluntary basis.

- Council will provide interpreters, carers, cab vouchers, car parking vouchers and any other requirements (as advised) to support members to attend and participate in meetings.
- Funding will be considered to support applications for sitting fees from members who are not representative of an organisation and are not employed.

Protocols

Roles and Responsibilities

The FCAC is an appointed advisory committee of Melbourne City Council and will be chaired by the Chair of Council's Future Melbourne Committee (People City portfolio) or another nominated Councillor.

The role and responsibilities of the Chair

- To support Committee members to fully engage in the issues on the table by providing information and research findings in a timely and accessible manner.
- To provide, where appropriate, feedback to Committee members on the outcomes of the advice they provide.
- To provide policy and secretariat support to the FCAC including coordination of meetings, agenda and minutes.
- To provide resources, including printed materials.
- To provide catering (light supper) for each meeting.
- To consider holding meetings in other locations across the municipality such as childcare and family services centres.

The role and responsibilities of the Community members

- To be fully prepared for meetings.
- To agree to participate in a collaborative meeting format.
- To bring local knowledge and broad community experience to the table.
- To consider and raise issues, proposals and ideas.
- To provide informed advice and guidance.

Shared roles and responsibilities of all Committee members

- All members can raise any issues and problems and have them dealt with in an honest, respectful and open manner.
- All members are given equal opportunity to participate in the Committee discussions.

- Working groups or sub committees may be established as required and members may nominate to be a part of these groups.

Code of Conduct and interest provisions

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

- Adhere to City of Melbourne, Code of Conduct ²
- Act honestly;
- Exercise reasonable care and diligence;
- Promote and uphold the rights of children;
- Not make improper use of their position; and
- Not make improper use of the information acquired because of their position.

Where a member of the committee has an interest or conflict of interest in relation to a matter in which the committee is discussing, or is likely to be considered or discussed, the member must disclose the interest to the committee before the matter is considered or discussed at the meeting. Disclosure must include the nature of the relevant interest and be recorded in the minutes of the meeting.

Confidential and sensitive information

- Members are expected to comply with the confidential information provisions contained in Sections 77 and 89 of the *Local Government Act 1989*.
- Members must treat information they receive as confidential unless otherwise advised. The documents presented to FCAC will often be in draft format and not ready for wider community distribution.
- Members must not use confidential information other than for the purpose of performing their function as a member of the advisory committee.
- Draft documents cannot be referred to or used in any grant applications, presentations or in the private or working roles of members.

Disclosure of personal details

For transparency, members name, qualifications and current position will be listed on the City of Melbourne website.

²<http://www.melbourne.vic.gov.au/SiteCollectionDocuments/employee-code-of-conduct-2016.pdf>

Volunteer Forms

Each person is required **to register on City of Melbourne's volunteer management system, Better Impact, to cover insurance and related matters.**

Review

The Family and Children's Advisory Committee Terms of Reference will be **reviewed every three years.**

Contact/Secretariat Support

Jas Stanic

Team Leader Planning and Performance

E: Jasmina.stanic@melbourne.vic.gov.au