



Disability Advisory Committee Terms of Reference

Version:	1.1
Adopted by Council:	27 July 2021
Responsible Officer:	Executive Officer Health & Wellbeing
Department:	Community Wellbeing
Contact Officer:	Disability Inclusion Officer

Contents

1. Introduction.....	3
2. Purpose.....	3
3. Mission Statement.....	3
4. Committee Structure.....	3
Establishing working groups	4
5. Nomination, selection & appointment of members.....	4
Individuals or representatives of a service provider or community organisation	4
Term of Appointment.....	5
6. Induction.....	5
7. Vacancies.....	6
8. Co-opted members and specialist advice	6
9. Chairperson.....	6
10. Meetings.....	7
11. Conduct of Committee Members	7
12. Conflicts of Interest.....	8
13. Attendance at Meetings.....	8
Submitting Apologies.....	8
Requesting a Leave of Absence	8
14. Meeting Procedures	9
Agenda for Meetings	9
Decision Making and Voting	9
Minutes of Meetings	10
15. Reporting.....	10
16. Management and Support to the Committee	11
17. Support available to community representatives.....	11
18. Confidentiality and Privacy	11
19. Media	12
20. Relationship with the Access and Equity Reference Group	12
21. Review	12

1. Introduction

- 1.1 Council's Equity, Access and Inclusion Strategy (the Strategy) sets out the strategic direction for enhancing accessibility and inclusiveness for all residents across the municipality. It reflects Council's commitment to promoting an inclusive community and recognises people with disabilities have the right to be supported and encouraged to participate in all spheres of community life.
- 1.2 People with disabilities are valued members of the community and the Strategy aims to reduce, and where practicable eliminate, unintended barriers that prevent their contribution to and participation in their community.
- 1.3 The Strategy covers the broad roles and responsibilities of Council as an organisation, a service provider and local government in upholding the rights of all members of the Yarra Ranges community to receive equal access to services and opportunities for active citizenship.

2. Purpose

- 2.1 The Disability Advisory Committee (the Committee) has been established by Council for the purpose of:
 - (a) being a voice to Council for people with lived experience of disability;
 - (b) assisting Council in the consultative process and providing feedback on Council processes and policies and to support Council's decision making; and
 - (c) monitoring the achievement of objectives under the Equity, Access and Inclusion Strategy.
- 2.2 The Committee does not have authority to make decisions on behalf of Council and nor does it have delegated authority to act or to incur expenditure on behalf of Council.
- 2.3 The Committee must at all times recognise that the primary responsibility for management of Council's operations is controlled by the Chief Executive Officer and that the Committee, at all times, is an advisory committee to Council.

3. Mission Statement

- 3.1 The Committee will provide advice on equity, access and inclusion to maximise opportunities for people with a disability to participate fully in the community of Yarra Ranges.

4. Committee Structure

- 4.1 The Committee will comprise up to twelve members, appointed in conjunction with the selection criteria included at paragraphs 5.5 and 5.6, together with two councillors appointed by Council.

- 4.2 The twelve members of the Committee will comprise:
- (a) a minimum of three, but no more than six positions available for people with a disability;
 - (b) a minimum of two, but no more than three positions available for an unpaid carer of a person with a disability; and
 - (c) a maximum of three positions for a representative of a service provider for people with a disability, or a relevant local or peak community organisation.

Establishing working groups

- 4.3 The Committee may establish special interest working groups to progress specific initiatives for a defined period of time. A working group may also invite individuals and groups to attend their meetings for the purpose of providing specialist advice, in accordance with paragraph 8.3.
- 4.4 Any working group established by the Committee must provide an update on its work to each meeting of the Committee.

5. Nomination, selection & appointment of members

Individuals or representatives of a service provider or community organisation

- 5.1 Expressions of interest from individuals or representatives of a service provider or community organisation will be called through Council's website, local media and by communications to the sector and other relevant local or peak community organisations.
- 5.2 Organisations seeking to be represented on the Committee must nominate a representative during the application process.
- 5.3 Applications for membership must be made in writing, addressed to the Executive Officer Health & Wellbeing or Disability Inclusion Officer.
- 5.4 Applications will be considered against the selection criteria and short-listed applicants will be interviewed by a selection panel, to be appointed by the Executive Officer Health and Wellbeing.
- 5.5 Membership of the Committee will, as far as possible, be representative of the community, with reference to:
- (a) ability;
 - (b) age;
 - (c) gender and gender identification;
 - (d) cultural background; and
 - (e) socio-economic status.

5.6 All members must:

- (a) live or work in Yarra Ranges;
- (b) have established networks, relationships, connections to relevant disability services and the disability sector;
- (c) have knowledge of Yarra Ranges and issues impacting people with a disability, their carers and families;
- (d) have skills & experience in the disability sector;
- (e) be able to commit to attending the regular meetings of the Committee; and
- (f) have a passion for working with Council to achieve equity, access and inclusion for all.

Term of Appointment

- 5.7 Individuals or representatives of a service provider or community organisation will be appointed for a four-year term and may reapply to be appointed to the Committee on the expiry of their first four-year term but no person should serve more than two consecutive terms, unless exceptional circumstances are identified by Council.
- 5.8 Unless Council determines otherwise, an individual or representative of a community organisation who has served two consecutive terms as a member of the Committee may apply to be appointed again after a one-year break from the Committee.
- 5.9 Councillors are appointed to the Committee by Council for a four-year term. Notwithstanding the term of appointment, Council will consider and reaffirm this on an annual basis, while reserving the right to change its appointed representative at any time.
- 5.10 All appointments required to be made to the Committee will be submitted in a report by the Executive Officer Health & Wellbeing or the Disability Inclusion Officer to a Council meeting for determination.

6. Induction

- 6.1 A workshop will be held to enable Committee members to be inducted into their role. This will provide information on:
- (a) the role of the Committee;
 - (b) the role of Council and councillors;
 - (c) Council processes e.g. timelines for capital works program, strategy development, advocacy positions;
 - (d) the processes involved in achieving change; and
 - (e) the importance of team building and developing trust within the group.
- 6.2 Within 24 months of a member's appointment to the Committee, the Executive Officer Health & Wellbeing and/or the Disability Inclusion Officer will conduct a

review with the member of their time on the Committee and identify any information or further supports (e.g. mentorship) that may assist the member in fulfilling their role on the Committee.

7. Vacancies

- 7.1 A position is deemed vacant if a member fails to attend four consecutive meetings without being granted a leave of absence by the Committee.
- 7.2 Where a member decides to relinquish their membership before the end of their term of appointment, they must submit their resignation in writing, addressed to the Executive Officer Health & Wellbeing or Disability Inclusion Officer.
- 7.3 Council will seek to fill a vacancy that may occur before the end of a four-year term of appointment, with the exception of a vacancy that occurs within two months of the end of the term of appointment.
- 7.4 The representative of a community organisation may be changed during the term of appointment by written notification from the organisation. Any such notification should be addressed to the Executive Officer Health & Wellbeing or Disability Inclusion Officer.
- 7.5 All recommendations regarding the filling of vacancies will be submitted in a report by the Executive Officer Health & Wellbeing or the Disability Inclusion Officer to a Council meeting for determination.

8. Co-opted members and specialist advice

- 8.1 The Committee may invite suitably skilled persons to join the Committee as a co-opted member for a specified purpose and period of time. A co-opted member would join the Committee in an advisory capacity only and is not entitled to vote.
- 8.2 A member of the Committee who has already served two consecutive four-year terms may be invited to join the Committee as co-opted member to act as a mentor to newly appointed members.
- 8.3 Individuals and groups may be invited to attend meetings of the Committee for the purpose of providing specialist advice. Any such individual or Group must not be involved in decision making processes and must not vote on any matter.

9. Chairperson

- 9.1 The Chairperson will be a councillor, appointed by Council.
- 9.2 The Chairperson will be the public face of the Committee and will lead advice and reports to the Council and other bodies on behalf of the Committee.

- 9.3 The Committee may appoint a Deputy Chairperson, whose role would be to perform the duties of the Chairperson if the Chairperson is absent or unable to perform their duties at a meeting of the Committee.

10. Meetings

- 10.1 At least eight meetings of the Committee will be held per year, with these to be held at an accessible venue in the Yarra Ranges or via video conference (to be determined by the Executive Officer Health & Wellbeing or the Disability Inclusion Officer after consultation with the Chairperson).
- 10.2 Meetings may be cancelled, or additional meetings may be convened, by the Executive Officer Health & Wellbeing or Disability Inclusion Officer after consultation with the Chairperson.
- 10.3 If apologies are received from a significant number of the members of the Committee, meetings may be cancelled and rescheduled (if feasible) by the Executive Officer Health & Wellbeing or Disability Inclusion Officer after consultation with the Chairperson.
- 10.4 Members are asked to check their email on the morning of the meeting to receive any notice of cancellation.
- 10.5 Meetings of the Committee are defined as “Informal Meetings of Councillors” under Chapter 8, Rule 1 of Council’s Governance Rules if at least one Councillor is present. The Executive Officer Health & Wellbeing or the Disability Inclusion Officer must forward a record of an Informal Meeting of Councillors to Council’s Governance Team within 7 days of a meeting to enable this to be tabled at the next convenient Council meeting and recorded in the Minutes of that Council meeting.

11. Conduct of Committee Members

- 11.1 When acting in their capacity as a member of the Committee, all members will refrain from discriminating, harassing or bullying other people and using offensive language.
- 11.2 In performing their role, a committee member must:
- (a) act honestly;
 - (b) exercise reasonable care and diligence;
 - (c) not make improper use of their position; and
 - (d) not make improper use of the information acquired because of their position.
- 11.3 The failure of a member to comply with either clause 11.1 or 11.2 above will result in the termination of their appointment to the Committee.
- 11.4 Committee members will also have regard to the principles of health and safety and must ensure that they contribute to the notion of a healthy and safe workplace.

12. Conflicts of Interest

- 12.1 A member of the Committee with a conflict of interest in an item of business to be considered at a meeting must declare this before the item is considered.
- 12.2 A member declaring a conflict of interest must leave the meeting while the identified item is being discussed and must not vote on the matter being considered.
- 12.3 A declaration of a conflict of interest that has been made at a meeting of the Committee must be recorded in the minutes of that meeting and in the Informal Meeting of Councillors record to be submitted to Council.
- 12.4 A failure to comply with the provisions regarding the disclosure of conflicts of interest may result in the member's appointment to the Committee being terminated.
- 12.5 A Councillor appointed to the Committee must declare a conflict of interest in accordance with the requirements of Chapter 7, Rule 7, of Council's Governance Rules.

13. Attendance at Meetings

- 13.1 The Committee will be flexible about multiple non-attendances by members and acknowledges the health and support needs associated with active citizen participation.

Submitting Apologies

- 13.2 Members should submit any apologies to the Executive Officer Health & Wellbeing or Disability Inclusion Officer if they are unable to attend, with these to be received at least 24 hours prior to a scheduled meeting time (where possible).
- 13.3 Where a representative of a community organisation is unable to attend a meeting, a substitute should be nominated by the organisation.

Requesting a Leave of Absence

- 13.4 If a member is likely to be absent from at least four consecutive meetings and wishes to remain as a member of the Committee, they should request a leave of absence.
- 13.5 Any such request should be submitted to the Executive Officer Health & Wellbeing or Disability Inclusion Officer and will be presented to the Committee for determination.
- 13.6 The Committee will not unreasonably withhold its approval of a leave of absence request.

14. Meeting Procedures

Agenda for Meetings

- 14.1 Council will be responsible for setting the Agenda for each meeting.
- 14.2 Committee members can request an item to be included on an Agenda by sending details to the Disability Inclusion Officer at least ten days prior to the meeting.
- 14.3 The Disability Inclusion Officer will consider any such requests and determine if they be listed or dealt with (investigated) as per normal business as discussion of operational issues should be directed to an appropriate Council Officer.
- 14.4 The Agenda for each meeting will include:
 - (a) an opportunity for members to disclose a conflict of interest;
 - (b) provision for any urgent items of business to be raised and, by agreement, considered by the Committee;
 - (c) brief reports back on:
 - (i) the use of the Committee's advice by Council; and
 - (ii) actions and/or matters arising from items discussed at the previous meeting;
 - (d) updates on current Council programs and initiatives;
 - (e) substantive discussion about major current issues and directions;
and
 - (f) an opportunity to raise other business matters from the table.
- 14.5 An Agenda will be sent to the Committee one week prior to each meeting, together with any background reading material.

Decision Making and Voting

- 14.6 A quorum of at least four voting members must be present if a vote or committee decision is to be made.
- 14.7 No formal business shall be conducted by the Committee unless a quorum exists. If a quorum is not present, the Chairperson may decide that the Committee meet for discussion only.
- 14.8 Any decisions in respect of formal advice and/or comment to be provided to Council by the Committee will be reached by consensus. As far as practicable the Committee will provide advice to Council based on the collective wisdom of its members, supported by the best available information provided by Council Officers.
- 14.9 The Committee does not require formal voting to take place in order to make decisions, although the Chairperson may call for a vote in extraordinary circumstances. If the Chairperson calls for a vote to be taken:

- (a) the vote will be by a show of hands
- (b) in the event of deadlock, the Chairperson will have a casting vote to determine a matter.

14.10 A diversity of views may be expressed by the Committee and these will be reflected in any reports and statements issued by the Committee.

Minutes of Meetings

14.11 Minutes will be taken for each meeting by the Disability Inclusion Officer and will record:

- (a) the attendance of members;
- (b) agenda items tabled;
- (c) any declared conflicts of interest;
- (d) key discussion points; and
- (e) actions and agreed outcomes only.

14.12 Minutes and action items will be distributed to each member of the Committee and relevant Council staff within two working weeks of the meeting.

14.13 Minutes will be finalised only when formally adopted at the following scheduled meeting of the Committee.

14.14 A summary of the key actions and agreements from each meeting will appear on Council's website for public viewing.

14.15 Key messages from Committee meetings will be provided to the Access and Equity Reference Group.

15. Reporting

15.1 The Chairperson will make a Delegate's Report at the next Council meeting following a Committee meeting.

15.2 The Committee will present an Annual Report to Council. The Annual Report must contain the Committee's actions and key achievements over the previous 12-month period and detail the Committee's key plans and goals over the upcoming 12 months.

15.3 The Annual Report will be made by the Executive Officer Health & Wellbeing and the Disability Inclusion Officer, together with any members of the Committee as may be deemed appropriate by the Executive Officer Health & Wellbeing or Disability Inclusion Officer after consultation with the Chairperson and the Mayor.

16. Management and Support to the Committee

- 16.1 The Disability Inclusion Officer will provide administrative support to the Committee, which will include:
- (a) maintaining contact details of members;
 - (b) preparing and distributing Agendas and prior reading material;
 - (c) preparing and distributing Minutes of meetings;
 - (d) reporting on actions and/or matters arising from previous meetings back to the Committee;
 - (e) circulating other material to Committee members as necessary;
 - (f) completing and submitting an Informal Meeting of Councillors record for inclusion on a Council Agenda;
 - (g) maintaining a web page for the Committee on Council's website;
 - (h) assisting with the preparation of an Annual Report to Council; and
 - (i) managing all other administrative processes associated with the Committee.
- 16.2 The Committee will have access to Council staff with relevant expertise on matters being considered by the Committee.

17. Support available to community representatives

- 17.1 Community representatives with a disability are eligible for assistance with transport, e.g. cab vouchers, to support their attendance at meetings and involvement with the Committee.
- 17.2 Community representatives should raise any individual participation needs with the Disability Inclusion Officer.

18. Confidentiality and Privacy

- 18.1 Members must treat information they receive as confidential, unless otherwise advised, and are expected to comply with the provisions that cover confidential information contained in sections 3 and 125 of the Local Government Act 2020.
- 18.2 Members must not use confidential information other than for the purpose of performing their function as a member of the Committee.
- 18.3 Documents presented to the Committee will often be in draft format and not suitable for wider distribution. Members have an obligation not to disclose any materials or information that is not available to the public, unless approved by the Chair or a representative of Council.
- 18.4 All Committee discussions should comply with the requirements under the Privacy Act 1988 and its principles.
- 18.5 The failure of a member to comply with paragraphs 18.1 to 18.4 will result in the termination of their appointment to the Committee.

19. Media

- 19.1 The Chairperson will represent the views of the Committee and make all public statements. If members of the Committee wish to raise an issue in the media, this should be agreed beforehand at a Committee meeting.
- 19.2 On occasion, representatives of the Committee may be invited to join the Chairperson to promote the work of the Committee or to support advocacy positions.
- 19.3 Members are entitled to make comment on matters in their capacity as a member of another organisation or as private citizens; however, it must be clear that those views are not expressed on behalf of Committee or Council.
- 19.4 The Disability Inclusion Officer will be responsible for maintaining a web page on Council's website for the Committee. The web page must include a description of the Committee and its purpose, its membership, the summary of key actions and agreements of each meeting (in accordance paragraph 16.1 of these Terms) and a copy of the Annual Report to Council.

20. Relationship with the Access and Equity Reference Group

- 20.1 Council has established an Access and Equity Reference Group (the Group) to support its Equity, Access and Inclusion Strategy. The Group comprises representatives from across Council and its key function is to monitor the implementation of the Equity, Access and Inclusion Strategy.
- 20.2 The Group will play a key role in identifying ongoing opportunities to improve access and inclusion in Yarra Ranges and provide important leadership in pursuing this commitment of Council.
- 20.3 The Committee will support the Group through providing specific knowledge and expertise, making presentations and giving advice as needed.

21. Review

- 21.1 The Terms of Reference will be reviewed every four years, or at such other time that Council determines.