



TRIM ref: D17/157736

## **Disability Advisory Committee**

### **Terms of Reference**

### **September 2017**

#### **Purpose**

The role of the Disability Advisory Committee (DAC) is to:

- (a) Provide information, advice and guidance to Council at both a strategic and operational level on universal access and mainstream participation of people with disability; and
- (b) Provide ongoing support to Council in ensuring that disability rights are integrated into the core business of Council.

The DAC may provide advice and be consulted on the following:

- The provision of forums for the discussion of contemporary issues affecting the well-being of people with disabilities and their carers;
- Any proposed strategies, programs, services and initiatives developed by all levels of Government and Non-Government Organisations to respond to access and inclusion issues;
- Community development initiatives across the City of Yarra;
- Systemic advocacy issues;
- Development, implementation and review of Council's Access and Inclusion Policy and Strategy;
- Review of Council's plans, strategies and policies;
- Accessible and inclusive Council services, programs and events;
- Council's major capital works and infrastructure;
- Influence community attitude and perceptions

#### **Principles**

The function of the DAC is underpinned by the following principles:

- (a) Realising disability rights is beneficial for the whole community as reduced physical, structural and attitudinal barriers lead to full participation by everyone.

- (b) Equalising opportunities to improve the quality of life of people with disability requires the cooperation and collaboration of all levels of government in partnership with the whole of the community.
- (c) The DAC gives the citizens of Yarra a means for direct participation in Council's decision making processes.
- (d) The DAC will be flexible with regard to multiple non attendances by members, acknowledging the health and support needs associated with active citizen participation.
- (e) Experiential learning allows DAC members to acquire skills and gain confidence in providing advice to Council and assist Council with advocacy for disability rights.
- (f) Operation of the DAC is based on the *Meeting Guidelines* incorporated into these Terms of Reference.

### **Membership and Composition**

The Disability Advisory Committee will comprise;

- (a) Two Councillors; and
- (b) Up to twelve non-Council Community Representatives.

As far as practicable the composition of the community members will reflect the widest access and inclusion perspectives of people with a disability<sup>1</sup>, and their families and carers, including:

- (a) People with disability from the Aboriginal and Torres Strait community;
- (b) People with disability from Culturally, Religiously and Linguistically Diverse (CRALD) backgrounds;
- (c) People with disability from the Lesbian, Gay, Bisexual, Transgender, Intersex (LGBTI) community;
- (d) People with disability from a variety of life stages.

A quorum for passing formal motions will consist of four (4) Community Representatives and the Chairperson.

### **Selection Criteria**

Community representatives can be someone who resides, works, studies or receives services in Yarra.

Community members will be eligible for selection if they;

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<sup>1</sup> The definition of "disability" as outlined in the Disability Discrimination Act 1992 includes:

- Physical
- Intellectual
- Psychiatric
- Sensory
- Neurological, and
- Learning disabilities, as well as
- Physical disfigurement, and
- The presence in the body of disease-causing organisms.

- Have a disability; or
- Are a carer or a family member of a person with a disability; and
- Have experience, knowledge and understanding of disability issues; and
- Are able to represent the views of other Yarra residents with disability; and
- Demonstrate ability to work effectively as a member of an Advisory Committee.

Staff members who are (paid) workers of disability service provider organisations, should not be considered for DAC appointment.

### **Term of Appointment and Selection process**

The term of appointment is four years following a public advertising process. Community Representatives can sit on the DAC throughout Council tenure, with an opportunity to formally reapply, and that this process can be supported. This would allow Community members, as representatives on DAC sufficient time to be able to translate their lived experience into processes on policy decision making. Experiential learning enables members to acquire skills and gain confidence in providing advice to Council; and assist Council with advocacy for disability rights.

The DAC will be flexible with regards to multiple non attendances by members, acknowledging the health and support needs associated with active citizen participation.

### **Vacancies**

Where casual vacancies occur, the Council Officer responsible for the committee shall advise the Chief Executive Officer (CEO) of the vacancy. The CEO shall determine whether the vacancy requires filling, giving regard to the committee's capacity to fulfil its Terms of Reference, and represent communities in different disability areas.

If a new appointment is necessary, the Chief Executive will determine the most appropriate recruitment process as per the *Appointment of Members to Council Committees Policy*. This may involve identification of an appropriate candidate who satisfies the eligibility criteria from Council's existing networks, including invitation of an Expression of Interest through a public advertising process.

Following this, a selection panel made up of two DAC members, the Chairperson and the Disability Planning Officer will be set up to assess the EOI applications, and interview applicants if necessary. Recommended candidates will commit to attend at least four meetings as Observers, for the purpose of familiarisation with rules, processes, roles and responsibilities during the proceedings.

The selection panel determines the most suitable applicants and makes recommendations to the CEO.

The CEO shall notify all Councillors of the intention to make an appointment, and provide them with relevant details of the recommended appointee(s). Unless any Councillor raises objection within seven days, the CEO shall appoint the recommended appointee(s) to the committee. If objection is raised, the CEO may submit the candidate to a Council Meeting for Council's determination; or identify an alternative candidate; or abandon the process and not appoint a candidate.

## **Observers**

Community members are welcome to attend DAC meetings in the capacity of Observers. The role of an Observer is to become familiar with the style, issues and procedures of this Committee.

Where casual vacancies exist Observers who meet eligibility criteria and follow the DAC's *Meeting Guidelines*, may qualify for appointment as set out above.

If Observers are not appointed following a casual vacancy recruitment round, they could continue attendance as Observers.

## **Chairperson**

The Chairperson and the Deputy Chairperson are Councillors appointed annually by Council. The Chairperson will act as the public face of the committee and will present advice and reports to the Council and other bodies on behalf of the committee.

## **Decision Making**

The Disability Advisory Committee is not a decision making body.

As far as practicable the Disability Advisory Committee will provide advice based on the collective wisdom of the Committee and the best available information provided by Council Officers.

Any formal advice provided by the Committee will be reached by consensus. Only Community Representatives are entitled to vote or use other decision making mechanisms for reaching consensus.

However, a diversity of differing views may be expressed by the Committee from time to time. These views will be reflected in any reports and statements issued by the committee.

## **Representation of Views**

The Chairperson will represent the views of the Committee and may, as delegated by the Mayor from time to time, make public statements to the media if required.

If members of the Committee wish to make statements to the media on issues discussed at the Committee meetings, they are encouraged to discuss this with the Disability Planning Officer and the Chairperson beforehand.

Members are entitled to make comment on matters in their capacity as a member of another organisation or as private citizens; however it should be clear that those views are not expressed on behalf of the DAC or Council.

## **Meeting Times**

The DAC meets 10 times through the year. Meeting dates will be published on Yarra's website at the beginning of each year.

Meetings will last for two hours.

### **Support for Meeting Attendance**

Funding is available for members of the Committee who require attendant care, transport, carer support or an interpreter service. Support requirements must be advised to the DPO prior to the meeting.

### **Support for the Committee**

The Disability Advisory Committee is supported and resourced by the Disability Planning Officer. The Disability Planning Officer is supported by the Coordinator Community Planning, and the Manager, Aged and Disability Services for the overall carriage of the access and inclusion activities of Council.

Council officers attend the Disability Advisory Committee meetings and provide the Committee advice and information in the area of their expertise.

Where Community Representatives on DAC contribute significant amounts of their time to activities such as interview panels, Council will acknowledge their contribution either financially or in-kind (e.g. transport, refreshments etc.)

An induction program will be provided to new committee members.

# Meeting Guidelines

## Disability Advisory Committee

The DAC operates in accordance with the Meeting Guidelines outlined below.

### General rules

1. The Chairperson of the meeting has the sole discretion to vary the application of these Guidelines.
2. The general provisions of these Guidelines shall be made known to all involved before they attend a meeting.
3. Persons attending the meeting shall adhere to the Meeting Guidelines.
4. All participants are expected to contribute positively to the meeting, and conduct themselves in a respectful and collaborative manner.

### Agenda and minutes

5. Agenda development:
  - (a) **Community Representatives** can raise agenda items with the Disability Planning Officer no later than 10 days before the meeting.
  - (b) **Observers** wishing to raise an agenda item at DAC meetings can do so through a current member, or by prior discussion with the Disability Planning Officer, no later than 10 days before the meeting.
  - (c) **Any late item** on an urgent matter may need to be addressed outside the meeting by a relevant Council Officer, or at the meeting with the approval of the Chair.
6. Minutes shall record names of attendees, apologies, concise summary of discussions, motions and actions.
7. Relevant documentation (i.e. agenda, minutes, papers) shall be circulated approximately one week before each meeting.

### Procedural rules

8. Council Officers who sit on the Committee are required to declare any conflict of interest and leave the room before the start of discussion.
9. Where two or more members desire to speak at the same time, the Chairperson shall decide who will have priority and verbally acknowledge the order for those who have indicated they wish to speak.
10. Community Representatives who were already given the opportunity to speak give priority to other members.
11. Observers may contribute their views when invited by the Chairperson to do so.
12. People addressing the meeting shall confine themselves to the agenda item under consideration.
13. Any item raised outside the agenda can be noted, but not discussed until it is listed on the agenda.
14. No person when speaking can be interrupted.
15. No person shall use offensive or disorderly language and behaviour.
16. If actions of some persons are continually disruptive to the meeting the Chairperson may ask them to leave or, if necessary, suspend the meeting.