

Governance - Appointment of Members to Council Committees **PolicyProcedure**

Title	Governance -Appointment of Members to Council Committees
Description	Council's policy on procedure for the appointment of community and/or other members to Council Committees
Category	Governance
Type	PolicyProcedure
Approval authority	Council
Responsible officer	Group Manager, Chief Executive's Office
Approval date	23 August 2016
Review cycle	Every four years
Review date	22 August 2020
Document Reference (Trim)	D15/149998
Human Rights compatibility	This policy procedure has been assessed and is compatible with the Victorian Charter of Human Rights of Responsibilities

1. Purpose

To record Council's ~~Policy on the~~ procedure for the invitation, selection and appointment of community and/or other members, to a Council ~~Advisory Committee OR Consultative Committee OR Community Committee (or however titled).~~

2. **ProcedurePolicy**

2.1. Scope

The ~~Policy~~ **procedure** applies to the appointment of members to all Council Committees (by whatever title), whether by the Council or Council Officers acting under delegated authority.

For the avoidance of doubt, this policy does not apply to Special Committees established under section 86 of the Local Government Act 1989 or to an Audit Committee established under section 139 of the Local Government Act 1989.

~~2.2. Definitions~~

Term / Abbreviation	Definition
Advisory Committee	Committee appointed by Council to provide advice to Council
Consultative Committee	Committee appointed by Council to assist Council in consultation on specific subjects or issues
Community Committee	Committee appointed by Council and primarily comprising individual members of the Yarra community rather than representatives of organisations, groups or other stakeholders.

2.3. Policy statement

~~Council from time to time determines to establish a Committee to assist it with tasks of sometimes, an on-going nature, and sometimes a one-off nature.~~

~~Such Committees may comprise a membership of Councillors and/or Officers and/or Community Members and/or other specific representatives.~~

~~Such Committees may be given a variety of titles, including but not restricted to:~~

- ~~• Advisory Committee, or~~
- ~~• Consultative Committee, or~~
- ~~• Community Committee.~~

~~To ensure consistency in the process of appointing Councillor and non-Councillor members to such Committees, the following policy shall apply.~~

Part A – Establishment of a Committee

~~Council shall formally resolve to:~~

- ~~• establish a Committee (by whatever title);~~
- ~~• adopt Terms of Reference setting out specific details of the Committee, including:-~~
 - ~~○ the purpose of the Committee,~~
 - ~~○ the make-up and total number of members to be appointed to the Committee,~~
 - ~~○ the make-up and numbers of each classification of members (i.e. community, Councillors, officers, or other),~~
 - ~~○ the term of appointment of members,~~
 - ~~○ any specific skills, experience, qualifications or categories of expertise or representation sought in members to be appointed to the particular Committee,~~
 - ~~○ any other special requirements relating to the particular Committee, and~~
 - ~~○ the make-up of any assessment panel appointed to review and report back to Council on Expressions of Interest (EOI) received.~~

2.2. Part B – Appointment of Membership

Step 1:

Upon the establishment of a new Committee or the expiry of the term of an existing Committee, Council officers shall place ~~public notices in newspapers circulating in the municipality, on~~ the Council's public website, ~~newsletters, social media feeds and/or~~ and any other relevant media, ~~referencing the details as incorporated in Part A above, and:~~

- summarising the purpose of proposed Committee and its makeup,
- noting any desired attributes or skills of interested community or other non-Councillor representatives,
- inviting Expressions of Interest from suitably qualified or experienced persons seeking to be considered,
- noting that the Council will, following consideration of EOI's received, formally resolve to appoint the selected members.

Step 2:

Governance - Appointment of Members to Council Committees **Policy Procedure**

Following receipt of Expressions of Interest, the relevant Council Officer shall:

- prepare a summary report including a listing of submitted names, the appropriate experience/qualification of the nominee/s (where applicable) and any other relevant information as required by the Terms of Reference of the particular Committee which is being established;
- convene ~~the relevant~~ assessment panel for the purpose of reviewing the submitted EOI list of names and prepare a report for presentation to Council setting out the background to the Committee and the required composition of the membership. The report should include a confidential attachment which provides recommendation/s of names being presented to Council for final determination, including a detailed outline as to why/how the recommended names best meet the Terms of Reference requirements to the particular Committee.

Step 3:

An Officer's report shall be presented to Council in open session, with a Councillor including the recommended names in the motion, which shall then be included in the Minutes of the meeting and made public.

In the event that a Councillor wishes to alter the names recommended for appointment, Council may resolve to close the meeting to the public before debating the merits of a particular nominee.

Step 3:

The Council will **by resolution** make the final determination on the selection and appointment of members to any Council Committee ~~(Advisory, Consultative, Community, etc)~~.

The Council may also choose to appoint the Chairperson of the Committee at this time if the Terms of Reference for the Committee require it.

~~2.4.2.3.~~ **Part C – Casual Vacancies**

Where a position becomes available due to the resignation or departure of one or more individual Committee Members, the following process shall be initiated:

- The Council Officer responsible for the Committee shall advise the Chief Executive of the vacancy.
- The Chief Executive shall make a determination as to whether the vacancy requires filling. In making this determination, the Chief Executive shall have regard to:
 - Whether the vacancy leaves an absence of diversity, viewpoint or representation that limits the Committee's capacity to fulfil its Terms of Reference;
 - The number of vacancies as a proportion of the Committee size;
 - The length of time remaining in the current Committee term;
 - Advice from the Council Officer responsible for the Committee;
 - The views of the Mayor, Councillors and Committee members (where known).
- If the Chief Executive determines that the vacancy requires filling, they shall determine the most appropriate process for recruitment from one of the following options:
 - Identification of an appropriate candidate from among Council's existing networks.
 - Identification of an appropriate previously unsuccessful candidate from the most recent Expression of Interest process.
 - Conduct of a full Expression of Interest process as set out ~~in Part B, Step 1~~ above.

Governance - Appointment of Members to Council Committees **Policy Procedure**

- Following the identification of a replacement Committee Member, the Chief Executive shall notify all Councillors of the intention to make an appointment, and provide relevant details of the recommended appointee to support their candidature. The Chief Executive shall provide seven days for Councillors to raise any objections to the appointment of that candidate.
- If, after a period of seven days, no Councillor objects to the intended appointment, the Chief Executive shall appoint the recommended appointee to the Committee.
- If a Councillor does object to the Committee appointment within seven days, the Chief Executive may:
 - Submit the identified candidate to a Council Meeting for Council's determination;
 - Identify an alternative candidate and submit their name to Councillors; OR
 - Abandon the process and determine not to appoint a candidate.

Where a position becomes available due to the resignation or departure of a Committee Member that has been appointed to represent a particular organisation (the sponsoring organisation), the following process shall be initiated:

- The sponsoring organisation shall nominate an alternative Committee Member who is able to serve on the Committee.
- The Chief Executive shall provide relevant details of the recommended appointee to support their candidature. The Chief Executive shall provide seven days for Councillors to raise any objections to the appointment of that candidate.
- If, after a period of seven days, no Councillor objects to the intended appointment, the Chief Executive shall appoint the recommended appointee to the Committee.
- If a Councillor does object to the Committee appointment within seven days, the Chief Executive may:
 - Submit the sponsoring organisation's candidate to a Council Meeting for Council's determination;
 - Ask the sponsoring organisation to identify an alternative candidate and submit their name to Councillors; OR
 - Abandon the process and determine not to appoint a candidate.

Nothing in this policy limits the ability of Council, by resolution, to appoint or revoke the appointment of members of Committees, to alter the Terms of Reference of Committees or to dissolve Committees.

3. Related Documents

- Local Government Act 1989
- Individual Committee Terms of Reference