



## Community Assistance Scheme and Events Committee

# Terms of Reference for Community Members

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## Document Control

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## Compliance

Terms of Reference manuals throughout the Shire of Irwin need to be compliant with the Register of Delegations and Authorisations, corresponding Acts, Regulations and Procedures.

All Council Members, Committee Members and employees of the Shire of Irwin shall observe the highest standards of ethics and integrity in all activities and act in an honest and professional manner that supports the standing of the Shire of Irwin.

It is essential that you are familiar with the process and all related documentation. Please ensure you are reviewing the latest version of all legislation, policies and procedures as they may be subject to change.

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## **1 Terms used**

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**Example Term** – add any terms used that will assist interpretation of this document.

## **2 Introduction**

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The following Terms of Reference have been prepared in accordance with the Local Government Act 1995 (Act), the Local Government (Administration) Regulations 1996 and the Shire of Irwin Standing Orders Local Law 2000.

These Terms of Reference apply to the Community Assistance Scheme and Events Committee established by Council under Section 5.8 of the Act. The Advisory Committee will provide recommendations to Council in regards to its purpose and primary functions.

## **3 Legislation and other Documentation to reference to;**

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- Local Government Act 1995
- Meeting Procedures Local Law 2016
- Shire of Irwin Code of Conduct for Council Members, Committee Members and Candidates

## **4 Purpose**

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The purpose of the Community Assistance Scheme and Events Committee is to administer, assist and evaluate the distribution of the Community Assistance Scheme funding within budgetary guidelines approved annually by Council. The Committee will assess applications received against the selection criteria before being submitted to Council for deliberation.

The Committee will strive to stimulate and encourage projects and/or events that meet the needs of the community and offer the best opportunity to provide social and economic benefits and the potential to market Dongara and Port Denison outside the Shire.

## **5 Objectives**

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- Provide advice and direction (when required) to Council on matters relating to the Community Assistance Scheme Program;
- Ensure that the Community Assistance Scheme Program meets the needs of the Irwin Community;
- Promotes projects that make a positive contribution to the quality of life within the Shire of Irwin; and
- Ensure access and equity in the Community Assistance Scheme Program and an even distribution of funds throughout the Irwin Community.
- Provide advice and direction (when required) to Council on all event proposals; and
- Ensure that Events within the Shire of Irwin provide measurable benefits.

## **6 Functions & Responsibilities of the Committee**

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The Community Assistance Scheme and Events Committee has been established to accomplish the following functions:

- To assess the Community Assistance Scheme Applications in accordance with the adopted guidelines together with the internal assessment and information provided;
- Prepare an Agenda Report to Council for the allocation of funds from the Community Assistance Scheme budget allocation on the completion of each funding round;
- Annually review the Community Assistance Scheme Guidelines and Application forms;

- Provide advice and direction (when required) to Council and ensure applicants receiving the funding provide measurable benefits to the Irwin Community; and
- Review the acquittal forms received from grant recipients to ensure that funds were used in the way specified in the original application.
- Provide advice when required regarding Councils major events;
- Ensure events meet the requirements of the Shire of Irwin *Events Application Form*; and
- Evaluate events at their completion and make recommendations to Council if required.

## **7 Tenure of the Committee**

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The tenure of Committee members will be in accordance with Section 5.11 of the Local Government Act (1995).

Membership of the committee continues until;

- The person no longer holds office by virtue of which the person became a member;
- The person resigns from membership of the committee;
- The committee is disbanded; or
- The next ordinary elections day, whichever happens first.

## **8 Operation**

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Committees shall operate as a committee of Council and shall be bound by the requirements of the Local Government Act (1995) and associated Regulations.

Committee members shall elect a Chairperson from amongst themselves in accordance with Section 5.12 (1) and (2) of the Local Government Act (1995).

The quorum for a meeting of the Committee will be at least 50% of the number of offices (whether vacant or not) of member, of the Committee, in accordance with Section 5.19 of the Local Government Act (1995).

All Committee members will have voting rights in accordance with Section 5.21 (1) of the Local Government Act (1995). If the votes of the members present at a Committee meeting are equally divided, the person presiding may cast a second vote, in accordance with Section 5.21 (3) of the Local Government Act (1995).

A review of these Terms of Reference will be undertaken, following the appointment of new Committee members.

Each meeting of the Committee shall be properly recorded by the taking of minutes. A copy of the agenda and minutes from each Committee meeting are to be retained on an appropriate Council file as part of the Council's corporate records.

The minutes of each meeting are sent as recommendations from this Committee to the following Ordinary Council Meeting

## **9 Membership**

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The Community Assistance Scheme Committee will consist of up to three members and that membership can be in accordance with Section 5.9 of The Local Government Act 1995:

5.9. Committees, types of

(1) In this section —

other person means a person who is not a council member or an employee.

- (2) A committee is to comprise —
- (a) council members only; or
  - (b) council members and employees; or
  - (c) council members, employees and other persons; or
  - (d) council members and other persons; or
  - (e) employees and other persons; or
  - (f) other persons only.

### **9.1 Selection Criteria of Community Committee Members**

- Demonstrate commitment to community action/involvement;
- Demonstrate knowledge of and commitment to community events;
- A broad representation of the Irwin community will be sought

A Chair will be elected by a majority vote of committee members.

#### **The Chair:**

- Chairs all regular and special meetings of the Committee;
- Ensures the preparation of agenda and meeting minutes (may be delegated to another committee member);
- Any item referred to the Committee for consideration will be referred through the Chair; and
- The Chair will maintain a cohesive Committee through communication and coordination.

## **10 Meetings**

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Meetings will be conducted in accordance with these Terms of Reference and with Section 5.8 of the Local Government Act (1995).

In so far as the Local Government Act (1995), Section 5.25 (1), the Council's Code of Conduct as applicable to the Committee and these Terms of Reference do not specify a procedure to be observed in relation to the conduct of a meeting of the Committee, then the Committee may determine its own procedure.

Meetings of the Committee are not open to the public, except if the Committee has been given a delegation of authority or power to act by Council, or if the Committee has previously agreed to invite members of the public to its meetings.

A Committee shall keep detailed minutes of all business transacted at its meetings in accordance with Clause 13 (b) of the Regulations.

Where the minutes from a Committee meeting include recommendations that require a Council decision, a Committee recommendation is taken to the Ordinary Council Meeting.

## **11 Frequency of meetings**

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The Community Assistance Scheme and Events Committee shall meet to review all applications including the Terms of Reference, no less than twice per financial year and on an as required basis. One round is to be opened, commencing no later than **31 August**, with acquittals due by 30 June of the current financial year.

## **12 Code of Conduct and Other Council Policies**

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- Employee Code of Conduct
- Council, Committee Member, and Candidate Code of Conduct

## 13 Disclosure of Interest

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### 13.1 Financial Interest

Council Members, Committee Members and delegated employees will adopt the principles of disclosure of financial interest as contained within the Local Government Act.

### 13.2 Disclosure of Interest

**Definition :**

In accordance with Clause 22 of the –Local Government (Model Code of Conduct) Regulations 2021

interest — means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest;

and

(b) includes an interest arising from kinship, friendship or membership of an association.

(2) A council member who has an interest in any matter to be discussed at a council or committee meeting attended by the council member must disclose the nature of the interest —

- (a) in a written notice given to the CEO before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

(3) Subclause (2) does not apply to an interest referred to in section 5.60 of the Act.

(4) Subclause (2) does not apply if a council member fails to disclose an interest because the council member did not know —

- (a) that they had an interest in the matter; or
- (b) that the matter in which they had an interest would be discussed at the meeting and the council member disclosed the interest as soon as possible after the discussion began.

(5) If, under subclause (2)(a), a council member discloses an interest in a written notice given to the CEO before a meeting, then —

- (a) before the meeting the CEO must cause the notice to be given to the person who is to preside at the meeting;
- and
- (b) at the meeting the person presiding must bring the notice and its contents to the attention of the persons present immediately before any matter to which the disclosure relates is discussed.

(6) Subclause (7) applies in relation to an interest if —

- (a) under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting;

or

- (b) under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting.

(7) The nature of the interest must be recorded in the minutes of the meeting

## 14 Personal Benefit

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### 14.1 Use of Confidential Information

Council Members, Committee Members and staff will not use confidential information to gain improper advantage for themselves or for any other person or body, in ways which are inconsistent with their obligation to act impartially and in good faith, or to improperly cause harm or detriment to any person or organisation.

### 14.2 Intellectual Property

The title to Intellectual Property in all duties relating to contracts of employment will be assigned to

the Local Government upon its creation unless otherwise agreed by separate contract.

### **14.3 Improper or Undue Influence**

Council Members and staff will not take advantage of their position to improperly influence other Council Members or staff in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.

## **15 Conduct of Council Members, Committee Members and Staff**

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### **15.1 Personal behaviour**

(a) Council Members, Committee Members and staff will:

- (i) act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
- (ii) perform their duties impartially and in the best interests of the Local Government uninfluenced by fear or favour;
- (iii) act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the Local Government and the community;
- (iv) make no allegations which are improper or derogatory (unless true and in the public interest) and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
- (v) always act in accordance with their obligation of fidelity to the Local Government.

(b) Council Members will represent and promote the interests of the Local Government, while recognising their special duty to their own constituents.

### **15.2 Honesty and Integrity**

Council Members, Committee Members and staff will:

- (a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
- (b) bring to the notice of the Mayor/President any dishonesty or possible dishonesty on the part of any other member, and in the case of an employee to the Chief Executive Officer.
- (c) be frank and honest in their official dealing with each other.

### **15.3 Performance of Duties**

(a) While on duty, staff will give their whole time and attention to the Local Government's business and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably both on them and on the Local Government.

(b) Council Members and Committee Members will at all times exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making but treating all matters on individual merits. Council Members and Committee Members will be as informed as possible about the functions of the Council, and treat all members of the community honestly and fairly.

### **15.4 Compliance with Lawful Orders**

(a) Council Members, Committee Members and staff will comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the Chief Executive Officer.



(b) Council Members, Committee Members and staff will give effect to the lawful policies of the Local Government, whether or not they agree with or approve of them.

## **15.5 Administrative and Management Practices**

Council Members, Committee Members and staff will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

## **15.6 Corporate Obligations**

### **(a) Standard of Dress**

Council Members, Committee Members and staff are expected to comply with neat and responsible dress standards at all times. Accordingly :

(i) Council Members and Committee Members will dress in a manner appropriate to their position, in particular when attending meetings or representing the Local Government in an official capacity.

(ii) Management reserves the right to adopt policies relating to corporate dress and to raise the issue of dress with individual staff.

### **(b) Communication and Public Relations**

(i) All aspects of communication by staff (including verbal, written or personal), involving Local Government's activities should reflect the status and objectives of that Local Government. Communications should be accurate, polite and professional.

(ii) As a representative of the community, Council Members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so Council Members should acknowledge that:

- as a member of the Council there is respect for the decision-making processes of the Council which are based on a decision of the majority of the Council;
- information of a confidential nature ought not be communicated until it is no longer treated as confidential.
- information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council;
- information concerning adopted policies, procedures and decisions of the Council is conveyed accurately.

(iii) Committee Members accept and acknowledge it is their responsibility to observe any direction the Local Government may adopt in terms of advancing and promoting the objectives of the Committee to which they have been appointed.

## **16 Dealing with Council Property**

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### **16.1 Use of Local Government Resources**

Council Members and staff will:

(a) be scrupulously honest in their use of the Local Government's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;

(b) use the Local Government resources entrusted to them effectively and economically in the course of their duties; and

(c) not use the Local Government's resources (including the services of Council staff) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer).

## **16.2 Travelling and Sustenance Expenses**

Council Members, Committee Members and staff will only claim or accept travelling and sustenance expenses arising out of travel-related matters which have a direct bearing on the services, policies or business of the Local Government in accordance with Local Government policy and the provisions of the Local Government Act.

## **16.3 Access to Information**

(a) Staff will ensure that Council Members are given access to all information necessary for them to properly perform their functions and comply with their responsibilities.

(b) Council Members will ensure that information provided will be used properly and to assist in the process of making reasonable and informed decisions on matters before the Council.

## **17 Insurance**

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Community committee members are covered by the Shire of Irwin's Voluntary Workers Insurance policy when complying with the policy conditions. The insurance only applies whilst engaging in work authorised by the subcommittee including direct travel to and from such voluntary work. Notification is required immediately to the Chair for any potential claim.