



<b>Council Policy:</b> <b>POL/ 109</b>	Advisory and Working Groups		
<b>Reference</b>	<i>Strategic Community Plan 2013-2023</i> Priority Area: 6 Major Strategy:	<i>Corporate Business Plan 2020 - 2024</i> Priority Area: 6 Actions:	
<b>Responsible Officer</b>	Manager Corporate Services and Governance		
<b>Policy Area</b>	Governance		
<b>Council Adoption Date</b>	28 July 2020	<b>Version Number</b>	1
<b>Amendment Dates</b>		<b>Next Review Date</b>	

This Policy replaces all previous policies related to this topic.

## 1. Policy Purpose

- 1.1. This Policy provides guidance for the establishment and operation of the Town of Cottesloe's (the Town) Advisory and Working Groups.

## 2. Policy Scope

- 2.1. This Policy applies to all of the Town's Advisory and Working Groups, Panels (other than the Design Advisory Panel) and any Committee **not** established under section 5.8 of the *Local Government Act 1995* (the Act).
- 2.2. This Policy applies to Elected Members, Advisory and Working Group Community Representatives and Stakeholder Members, the Executive Management Team, and the Town's officers who provide administrative support.

## 3. Policy Requirements

### 3.1. Establishment

The Council may establish an Advisory/Working Group to:

- a. Provide a forum for Elected Members, stakeholders, community members and/or experts to engage and participate in specific Town projects or

operations where such input would be of value to the Town, Cottesloe residents and community.

### 3.2. **Operation**

Operation of an Advisory/Working Group is to occur in accordance with the following principles:

- a. Advisory/Working Groups are to be established by Council resolution.
- b. Advisory/Working Groups are required to operate in accordance with a Council adopted Terms of Reference and/or Charter which provides:
  - A clear statement of the objective and the scope of activity to be undertaken.
  - The composition of membership/stakeholder representation
  - The operational and administrative framework by which activities are to occur.

### 3.3. **Charter, Terms of Reference and Role**

- a. The role of an Advisory/Working Group is to act in an advisory capacity, providing the Council with its views and/or recommendations relevant to the objectives for which the group was established.
- b. An Advisory/Working Group will only consider matters referred to it by the Council which are to be reflected in the Charter of the group.
- c. An Advisory/Working Group has no decision making powers and does not have any authority to act on behalf of the Town. The group cannot direct employees, call tenders, award contracts, expend monies, apply for grants or do anything which is the responsibility of the Town.
- d. Advisory/Working Group meetings should be conducted in an informal manner that provides opportunities for ideas to be raised and general discussion. The views and proposals of an Advisory Group are recorded as meeting notes and retained in the Town's record keeping system.
- e. All work undertaken by an Advisory/Working Group is retained by the Town and remains the property of the Town.
- f. Advisory/Working Group members either collectively or individually are not permitted to speak on behalf of the Town or provide comment to the media or other persons, in respect of any item under consideration.

## 4. **Role of the Chairperson**

- 4.1. It is preferable that an Elected Member be appointed to the role of Chairperson, with the appointment made by the Group members.
- 4.2. The Advisory/Working Group appointed Chairperson should preside at all meetings.
- 4.3. In the absence of the Chairperson, a person elected by the quorum assumes the Chair for that meeting.

- 4.4. Should the Charter provide for this a Responsible Officer for the Group, being a Town staff member, will provide administrative assistance and guidance to the group.
- 4.5. The Chairperson, in liaison with the Responsible Officer for the Group, is to ensure the Advisory/Working Group operates in accordance with this Policy at all times.

## **5. Meeting Procedures**

- 5.1. Unless approved by Council or there is a need to address an urgent issue (the latter to be agreed by the Chairperson and the CEO), the Advisory Group should meet only as required.
- 5.2. A quorum of the group is 50% of the number of members, but must include at least one Councillor if the group contains a Councillor representative.
- 5.3. The CEO or Responsible Officer will determine the Agenda for each meeting.
- 5.4. All meetings are to be confined to the items listed on the Agenda.
- 5.5. Minutes/Meeting Notes will be undertaken by the Responsible Officer:
  - a. Items considered at a meeting are not to be voted on. The Minutes/meeting notes of the Advisory Group should show a record of agreement on actions and any points of agreement/disagreement. They should not be a verbatim record of discussion on issues or matters discussed.
  - b. Minutes/meeting notes are required to accurately record the details of any disclosure of interest and the extent of the interest. They should also record the times any person who has made a disclosure, has departed and/or re-enters the meeting.

## **6. Reporting Meeting Outcomes**

- 6.1. Advisory/Working Group Minutes/meeting notes are required to be reported through the Responsible Officer's related report to Council, with recommendations regarding the views and proposals of the Advisory/Working Group.

## **7. Code of Conduct**

- 7.1. Community Members of the Town's Advisory and Working Groups are to be provided with the Town's Code of Conduct at their appointment and are required to comply with the relevant requirements.
- 7.2. The Town's Code of Conduct applies to all members of Advisory and Working Groups.
- 7.3. Advisory and Working Group members are required to disclose any conflicts of interest, and the extent of that interest in matters presented to the group for discussion.
- 7.4. The Chief Executive Officer is available to provide any assistance or guidance concerning the Code of Conduct.

## **8. Membership**

Membership of the Town's Advisory and Working Groups is determined by the Council based on the relevancy to the purpose for which the group has been established. Membership may include; Elected Members, employees and representatives of stakeholder organisations and community representatives.

- 8.1. Where a Group's membership includes representatives of stakeholder organisations the Town should seek written nominations from the organisation.
- 8.2. Where a Group's membership is to include community representatives, the Town is required to publicly advertise and call for nominations.
- 8.3. Members are to be appointed by Council on the basis of a nominee's knowledge, skills and/or understanding relevant to the purpose for which the Advisory/Working Group has been established.
- 8.4. In order to facilitate certain aspects of a Group's operations, a Member with the required skills or knowledge may also be invited by the CEO, on an 'as required' basis, to provide further expert advice.

## **9. Tenure of Appointment**

- 9.1. The term of membership of the Town's Advisory and Working Groups is generally to align with the local government election cycle, with membership expiring the month prior to each ordinary local government election.
- 9.2. The Council may terminate the appointment of any member prior to the expiry of his/her term, if:
  - a. the Council are of the opinion that the member is not making a positive contribution to deliberations of the group; or
  - b. the member is found to be in breach of the Town of Cottesloe's Code of Conduct or a serious contravention of the Local Government Act 1995; or
  - c. a member's conduct, action or comments brings the Town of Cottesloe into disrepute.

## **10. Review**

The operations of Advisory/Working Groups are to be reviewed after the biennial Local Government elections.

## **11. Definitions**

- 11.1. There are no definitions relevant to this Policy.

## **12. Legislation**

- 12.1. *Local Government Act 1995* – Sections 5.60, 5.60A and 5.60B

## **13. Other Relevant Procedures/Key Documents**

- 13.1. Code of Conduct Policy.

13.2. Applicable Advisory/Working Group Terms of Reference and/or Charter.