
Policy Number:	G9
Relevant Delegation:	Not Applicable
Adoption Details:	22 February 2016
Last Review Details:	25 November 2019

POLICY OBJECTIVE:

To identify parameters for the establishment and operation of Reference Groups.

POLICY SCOPE:

This policy applies to all groups Council may establish to provide information advice or input to Council projects, programs and activities.

POLICY STATEMENT:

INTRODUCTION

From time to time, the Council may wish to establish groups made up of stakeholders or community members to provide information and advice to assist Council decision-making. This mechanism may be used as a general consultation tool, or it may relate to a particular issue or matter.

It is important that the role of any such group is clearly understood by the wider community, that any potential members are aware of and understand their role, the process for establishment is open and transparent, and that there is a regular process for review.

This policy sets out the principles to be applied, the process for establishment, the general way in which groups should operate and the mechanism for review.

PRINCIPLES

Reference Groups:

- (a) are not Committees established under Section 5.8 of the Local Government Act 1995.
- (b) provide a valuable mechanism for Council to gain information which may be of use in decision-making.
- (c) cannot hold delegated Council powers.
- (d) may, depending on their individual Terms of Reference, make recommendations to the Council on a relevant matter.

PROVISIONS

1. ESTABLISHMENT

- 1.1. Reference Groups may only be established by resolution of Council, on receiving a report from the Chief Executive Officer which sets out the reasons for establishing the Group and provides a draft Terms of Reference.
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- 1.2. A Reference Group may be established to:
 - facilitate stakeholder and/or community input and involvement opportunities.
 - provide advice.
 - support the Shire in regard to strategic, program or project activities.
 - 1.3. The Terms of Reference must provide for the following:
 - a statement of objectives and the scope of activity to be undertaken.
 - an outline of membership/ stakeholder representation.
 - the operational and administrative framework by which activities are to occur.
 - 1.4. There will always be one Shire of York Councillor appointed to a Reference Group, who will conduct themselves according to the Council Delegates: Role and Responsibilities Policy (E4).

2. MEMBERSHIP

- 2.1 Membership of a Reference Group is to be determined by the Council on the basis of relevance to the purpose for which the group has been established.
- 2.2 Where the Reference Group includes representatives to stakeholder organisations, the Council shall seek written nominations from the organisations.
- 2.3 Where Reference Group membership includes representatives to be drawn from the community, the Council shall publicly advertise and call for nominations received within a defined period. Members are to be appointed by the Council on the basis of demonstrated knowledge, skills and/or understanding relevant to the purpose for which the Group was established.
- 2.4 The term of membership is to align with the local government election cycle, with membership expiring at the next ordinary local government election. If a Group's operations are likely to conclude within a period that does not exceed 12 months following the next ordinary local government elections the existing membership shall continue for that period. However, the Council's delegate shall be reappointed following the ordinary local government election.
- 2.5 Should a position on the Reference Group fall vacant, any new membership will be approved via a Council resolution after, where relevant, calling for nominations.

3. TENURE OF APPOINTMENT

- 3.1. The Reference Group membership is normally for a period of two years. Membership of a Reference Group terminates when an Ordinary Local government election occurs every two years in October. Members may subsequently be re-appointed (i.e: there is no maximum period of membership).
 - 3.2. If a member fails to attend three consecutive meetings his or her membership will be automatically terminated, unless Leave of Absence has been approved by the Reference Group.
 - 3.3. The Council may terminate the appointment of any member prior to the expiry of his or her term, if:
 - (a) any member is found to be in breach of the principles of the Shire of York Elected Members Code of Conduct (E1).
 - (b) a member's conduct, action or comments brings the Shire of York into disrepute.
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4. OPERATION

- 4.1 A Reference Group will only consider matters as set out in its Terms of Reference or referred to it from time to time by the Council.
- 4.2 A Reference Group has no decision-making powers and does not have any authority to act on behalf of the Shire. A Group cannot direct Shire employees, call tenders, award contracts, expend monies, direct volunteers or do anything which is the responsibility of employees of the Shire.
- 4.3 The principles of the Elected Members Code of Conduct (E1) shall apply to the conduct of members of any Reference Group as it relates to the matters dealt with by the Reference Group.
- 4.4 Reference Group members, either collectively or individually, are not authorised to speak on behalf of Council, or to provide comment to the media or other persons in respect of any item under consideration, unless authorised by the Chief Executive Officer.
- 4.5 A Chair shall be identified by the Council at time of approving a Group's establishment. The Chair shall manage the meetings and liaise where necessary with Shire of York staff and the Council.
- 4.6 Reference Group meetings will be conducted in an informal manner providing opportunity for ideas to be raised and for general discussion. Members of the Reference Group must disclose any conflicts of interest in relation to any matter under discussion.
- 4.7 Records of meetings are to be kept and all records retained in the Shire's record keeping systems.
- 4.8 The Reference Group will approve by a resolution of the Group, any formal advice to be provided to the Council. The advice will be conveyed to the Council via a report to the Council by the sitting Councillor on the Reference Group. The Chair of the Reference Group, or a nominee, will have the ability to speak to the advice to Council at the relevant Council meeting and to answer any questions raised. They will not participate in debate or discussion.

5. REFERENCE GROUP SUPPORT

- 5.1. A senior manager will be appointed to liaise with the Reference Group and in particular the Chair. The manager will attend meetings and will ensure the provision of secretarial support for the meetings (recording of minutes, organisation of venues and meeting notices).
- 5.2. Where necessary, the appointed manager will work with the Chair to prepare reports to Council.

6. REVIEW PROCESS

- 6.1. As a minimum requirement, the Council will review all Reference Groups on a two-year cycle, within three months of an ordinary local government election, to determine whether they should continue and if so, whether the Terms of Reference should be modified. A report will be prepared for Council, including recommendations in relation to the future direction of any Group.

PENALTIES:

Not applicable.

KEY TERMS/DEFINITIONS:

Not applicable.

Responsible Officer: Chief Executive Officer

Contact Officer: Executive Manager Corporate & Community Services

Relevant Legislation: Not applicable

Review History:

Date Review Adopted:	Resolution Number
Adopted – 22 February 2016	
Reviewed - 24 October 2016	
Reviewed – 25 November 2019	291119
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