



SHIRE OF YORK

NOTICE OF MEETING

Dear Committee Members

I respectfully advise that the ACCESS AND INCLUSION ADVISORY COMMITTEE MEETING will be held in Council Chambers, York Town Hall, York on Wednesday, 4 August 2021, commencing at 2pm.

MEETING AGENDA ATTACHED

Chris Linnell

CHRIS LINNELL
CHIEF EXECUTIVE OFFICER
Date: 30 July 2021

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MISSION STATEMENT
"Building on our history to create our future"

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The York Shire Council acknowledges the traditional owners of the land on which this meeting will be held.

1 OPENING

1.1 Declaration of Opening

1.2 Disclaimer

The Presiding Member advises the following:

"I wish to draw attention to the Disclaimer Notice contained within the agenda document and advise members of the public that any decisions made at the meeting today, can be revoked, pursuant to the Local Government Act 1995.

Therefore members of the public should not rely on any decisions until formal notification in writing by Council has been received. Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material."

1.3 Standing Orders

1.4 Announcement of Visitors

1.5 Declarations of Interest that Might Cause a Conflict

Councillors/Staff are reminded of the requirements of s5.65 of the Local Government Act 1995, to disclose any interest during the meeting when the matter is discussed and also of the requirement to disclose an interest affecting impartiality under the Shire of York's Code of Conduct.

Name	Item No & Title	Nature of Interest (and extent, where appropriate)

1.6 Declaration of Financial Interests

A declaration under this section requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration.

Other members may allow participation of the declarant if the member further discloses the extent of the interest and the other members decide that the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.

Name	Item No & Title	Nature of Interest (and extent, where appropriate)

1.7 Disclosure of Interests that may affect Impartiality

Councillors and staff are required (Code of Conduct), in addition to declaring any financial interest, to declare any interest that might cause a conflict. The member/employee is also encouraged to disclose the nature of the interest. The member/employee must consider the nature and extent of the interest and whether it will affect

their impartiality. If the member/employee declares that their impartiality will not be affected then they may participate in the decision making process.

Name	Item No & Title	Nature of Interest (and extent, where appropriate)

2 ATTENDANCE

- 2.1 Members
- 2.2 Staff
- 2.3 Apologies
- 2.4 Leave of Absence Previously Approved

3 APPLICATIONS FOR LEAVE OF ABSENCE

4 PRESENTATIONS

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Access and Inclusion Advisory Committee Meeting – 5 May 2021

Confirmation

That the minutes of the Access and Inclusion Advisory Committee Meeting held on 5 May 2021 be confirmed as a correct record of proceedings.

6 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

7 OFFICER'S REPORTS

- 7.1 Review of the AIAC Terms of Reference

File Number: OR.CMA.9.1

Author: Joanna Bryant, Project Officer

Authoriser: Alina Behan, Executive Manager Corporate & Community Services

Previously before Council: Not Applicable

Appendices:

1. Appendix 1: Terms of Reference – proposed amendments
2. Appendix 2: Policy E1 - Code of Conduct

NATURE OF COUNCIL'S ROLE IN THE MATTER

Executive

PURPOSE OF REPORT

This report presents a review of the Access & Inclusion Advisory Committee's Terms of Reference and suggested amendments.

BACKGROUND

At the 5 May 2021 Access & Inclusion Advisory Committee meeting the Presiding Member requested a review of the Terms of Reference to ensure they are current and relevant. The Executive Manager agreed to investigate and prepare a report for the August meeting.

COMMENTS AND DETAILS

The Shire of York has developed a Disability Access and Inclusion Plan (DAIP). The **Disability Services Act 1993** requires that agencies undertake public consultation during the development and delivery of their DAIPs. The establishment of an Access & Inclusion Advisory Committee with community membership allows a mechanism for ongoing Community engagement with regard to the delivery and review of the DAIP.

The Access and Inclusion Committee is a Committee of Council established under Part 5 – Division 2 (Subdivision 2) of the **Local Government Act 1995 – Committees and their meetings** with its own discrete Terms of Reference.

The Terms of Reference do not define the conduct expected of Committee Members. The Access and Inclusion Advisory Committee is subject to *Policy E1 - Code of Conduct: Council Members, Committee Members & Candidates* (Appendix 2) as set by Council in accordance with Section 2.7(2) of the **Local Government Act 1995**.

The existing Terms of Reference do not define the requirement to attend meetings. Regular attendance at meetings assists with both the continuity of understanding and progressing of issues. As the Committee meets quarterly, Officers recommend that Committee Members are required to attend a minimum of two meetings a year.

If Committee Members fail to meet the minimum attendance requirements, then in accordance with the **Local Government Act 1995, Subdivision Two 5.11 (2)(b)**, the Shire of York can remove the person from office. If a quorum can no longer be reached following the removal, the Shire will re-advertise to fill the vacancy.

Officers recommend the addition of new clause to provide clarity to committee members around both conduct and attendance requirements as below:

7.3 Reasons for removal of Membership

In accordance with Section 2.7(2) of the Local Government Act 1995, Council determines the Shire's policies and the Access and Inclusion Advisory Committee is subject to Policy E1 - Code of Conduct: Council Members, Committee Members & Candidates.

Members may be removed from the Access & Inclusion Committee if they do not abide by the general principles to guide the behaviour of committee members listed in the Code of Conduct policy.

Committee Members are required to attend in person a minimum of two meetings per financial year. Members unable to meet this minimum requirement may be removed from the Access & Inclusion Committee.

Appendix 1: Terms of Reference – proposed amendments Aug 2021 shows the Terms of Reference including the proposed additional clause 7.3:

OPTIONS

Option 1: The Committee could recommend Council request the CEO to amend the Terms of Reference as per the proposed revision to clarify the conduct and attendance requirements.

Option 2: The Committee could choose not to recommend Council request the CEO to amend the Terms of Reference.

Option 1 is the preferred option

IMPLICATIONS TO CONSIDER

Consultative

Executive Leadership Team

Strategic

Goal 5: Strong Leadership and Governance

To have effective and responsive leadership and governance, where a sense of collective purpose and shared direction combine to work together.

Policy Related

E1 – Code of Conduct – Council Members – Committee Members – Candidates

Financial

N/A

Legal and Statutory

Local Government Act 1995

The Access and Inclusion Committee is established under Part 5 – Division 2 (Subdivision 2) of the *Local Government Act 1995 – Committees and their meetings*. No authority is delegated to the Committee and all recommendations made by the Committee will be brought to Council for decision.

Risk Related

By enabling consistent external representation to the Committee, it can be considered the level of risk is reduced due to greater transparency and oversight.

Workforce

N/A

VOTING REQUIREMENTS

Not applicable.

RECOMMENDATION

That, with regard to the Access & Inclusion Terms of Reference, the Committee recommends that Council;

- (a) Request the CEO to amend the Terms of Reference as per the proposed revision to clarify the conduct and attendance requirements.

- 8 QUESTIONS FROM MEMBERS WITHOUT NOTICE**
- 9 BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING**
- 10 CLOSURE**