

# Wagga Wagga City Council

## APPOINTMENT OF ORGANISATION COMMUNITY AND INDIVIDUAL CITIZEN MEMBERS TO COUNCIL COMMITTEES POLICY

<b>REFERENCE NUMBER</b>	POL 117		
<b>ORIGINAL APPROVAL DATE</b>	May 2008		
<b>RESPONSIBLE MANAGER</b>	Manager Audit, Risk and Governance		
<b>RESPONSIBLE DIRECTORATE</b>	Governance		
<p>This document is to be reviewed: every four years or in the first twelve months of the new term of Council, whichever is the earlier.</p> <p>Next Review Date: September 2020</p>			
<b>Revision number</b>	<b>Issue Date</b>	<b>Council resolution</b>	<b>Council meeting date</b>
1		Res No: 08/468	15 December 2008
2		Res No: 09/077	27 July 2009
3	May 2013	Res No: 13/187	29 July 2013
4	August 2013	Res No: 13/224.1	26 August 2013
5	October 2016	Res No: 16/270	31 October 2016
6	August 2017	Res No: 17/279	28 August 2017
<u>7</u>	<u>February 2018</u>		

## PART 1: INTRODUCTION

This ~~p~~Policy should be read in conjunction with the ~~Charter or Constitution~~Governing Terms of each Council Committee, and is intended to define the process of appointment of Committee members to such committees.

### 1.1 Policy Objectives

The objective of this policy is:

- To prescribe the process for the appointment of individuals to Council Committees, as either representing organisations or the general community
- To ensure representatives are objectively selected, either on a merit basis or by lot, thereby removing any claim of political patronage.

### 1.2 Definitions

<b>Organisation</b>	A Company or any Body, Association, Club etc incorporated under the Associations Incorporation Act.
<b>Community or Interest Group</b>	Any voluntary group representing the interests of a particular section of the community with a written charter/constitution and office bearers.
<b>User/Hirer</b>	A person, class or group who regularly use or hire a facility for educational, recreational or social purposes.
<b>Governing Terms</b>	<p>The document outlining the function and terms of each Committee, either via Charter, Terms of Reference or Constitution.</p> <p><u>For the purpose of this Policy, the governing terms of Council's Audit, Risk and Improvement Committee include both the adopted Charter of Audit, Risk and Improvement Committee and Appendix A of this Policy (Selection of Independent Members to Council's Audit, Risk and Improvement Committee).</u></p>

## 1.3 Legislative Context

Section 355 of the Local Government Act 1993 provides for the adoption of Committees by Council for the partial exercise of its functions.

## 1.4 Related Documents

- Committee ~~Charters and/or Terms of Reference~~Governing Terms
- Code of Conduct
- POL 112 – Conflicts of Interest Policy

## 1.5 Responsibilities

The relevant Director / Manager assigned to each Committee is responsible for ~~distributing this policy to all Committee members.~~

~~All Committee members are responsible for~~ ensuring that the provisions of this ~~p~~Policy are applied.

## 1.6 Review procedures

This ~~p~~Policy is to be reviewed every four ~~(4)~~ years, or in the first twelve months of the new term of Council, whichever is the earlier.

# PART 2: POLICY CONTENT

## 2.1 General Provisions

### 2.1.1 Policy Statement

- Organisation and community representatives on Council committees provide valuable advice and assistance to the Council. It is appropriate that user organisations and the general public be represented on Committees so that public and user opinions are made known and advice is provided to the Council.
- Council is responsible for adopting the Governing Terms of each Council Committee established under section 355 of the Local Government Act 1993 (the Act), including the composition of the Committee and any specific skills or selection requirements to be included in that composition.

- The selection of individual members of each Committee will be in accordance with the requirement of Council and the Governing Terms of the Committee.
- Independence of selection will be applied and promoted by Council and the selection process will be devoid of bias.
- Applicants are entitled to be considered for appointment because of their interest or involvement in the work of the Committee or because they have particular skills or professional training of benefit to the Committee's functions, deliberations, recommendations and the exercise of any delegated authority.
- Unless otherwise prescribed in each Committee's Governing Terms, Council will extend the duration of an existing Council Committee and its membership for a period of not more than six ~~(6)~~ months after the date of a local government general election.

## 2.2 Specific Provisions

### 2.2.1 Committee Structure

~~Under Clause 49(12) of Council's adopted Code of Meeting Practice,~~ Council ~~is required to~~ will review its committee structure within 12 months of a Local Government general election.

### 2.2.2 Composition of Committees

The Governing Terms of each Council Committee shall specify the composition of such Committees.

Council is committed to a culture that promotes diversity, inclusion and respect. Appointments to Council Committees will give consideration to Council's Diversity Strategy to acknowledge the diverse skills and perspectives that people bring to the functions of each Committee.

### 2.2.3 Nomination for Committee membership

When a new Council Committee is established by Council resolution, Council will publicly invite expressions of interest for membership to that committee(s).

Subject to section 2.2.4, ~~if~~ a vacancy arises during the term of a Committee (of which eligibility for membership had previously been determined), Council will publicly invite expressions of interest for membership on that Committee to fill such vacancy. Applicants may be required to address applicable selection criteria.

**(a) Organisational and Community or Interest Group representatives:**

Where an Organisation, Community or Interest Group or User/Hirer is represented on any Committee:

- The Organisation must be a registered Company or incorporated under the Associations Incorporation Act 2009 to be entitled to representation on the Committee
- The Community or Interest Group must have a written Constitution with current office bearers
- Where the member is a User/Hirer, such member must be a person, class or group who is a regular hirer/user of the facility
- The Organisation, Community or Interest Group or User/Hirer shall nominate its representative in writing to the General Manager

**(b) Individual citizen representatives:**

Unless an individual community representative is required to have some particular skill or professional training (in accordance with the Governing Terms of the Committee Charter), all nominations satisfying the guidelines for a Committee shall be eligible for appointment.

## **2.2.4 Assessment of Applications and Council endorsement**

Where the number of nominations received is equal to or less than available positions, the General Manager in consultation with the Mayor may appoint such nominees to the relevant committee based on suitability of nominations.

Where the number of nominations exceeds the number of individuals required for appointment, or where a representative is required to have some particular skill or professional training, the General Manager shall arrange for a Council Assessment Panel to be convened to assess the applications.

The assessment panel will be made of the following members:

- The Mayor
- One other Councillor
- The General Manager
- The relevant ~~Sector Manager~~Director
- The relevant Manager

The assessment panel may include additional members to the assessment panel as determined by the Governing Terms of the Committee.

The assessment panel shall provide a recommendation in regards to membership for the respective Committee(s) to Council for determination. The appointment (or non-

appointment) to a Council Committee will be based on merit with consideration of the Governing Terms of the Committee.

The Assessment Panel may, at its own discretion, recommend to Council one or more candidates to be placed on an eligibility list (subject to the suitability of the candidate(s)) in the event a vacancy arises within six months.

### **2.2.5 Term of Appointment**

A person appointed to a Committee to represent an Organisation shall continue as a member of the Committee until:

- the Organisation nominates a replacement, or
- Council dissolves the Committee,

A person appointed to a Committee to represent the community shall continue as a member of the Committee until:

- the Committee is dissolved by Council, or
- it completes its purpose in accordance with its Governing Terms, or
- a person appointed to a Committee to represent an Organisation/Community or Interest Group is replaced by such Organisation/Group with such replacement being endorsed by the assessment panel, or
- the member resigns his/her membership of the Committee, or
- the death of the member, or
- a member acts in such a way that may warrant dismissal from the Committee, or
- a member fails to meet any minimum attendance requirements of the Committee outlined in the Governing Terms of the Committee.

The Governing Terms of the Committee may include additional vacation of appointment requirements as may apply to the nature of the Committee.

### **2.2.6 Compliance requirements**

Any person appointed to a Committee must meet the relevant compliance requirements of that committee including Council's Code of Conduct and Conflicts of Interest Policy. If they fail to meet those requirements, their membership of that committee may be terminated.

### **2.2.7 Child Protection requirements**

Particular consideration must be given to requirements under the Child Protection Act Children and Young Persons (Care and Protection) Act 1998 and/or Child Protection (Working with Children) Act 2012 for all members of Committees which deal with, interact or direct youth activities. Members nominated to such Committees must submit to a Working With Children background check and must clear that check to retain membership of that Committee.

## APPENDIX A – SELECTION OF INDEPENDENT MEMBERS TO COUNCIL’S AUDIT, RISK AND IMPROVEMENT COMMITTEE

Council’s Audit, Risk and Improvement Committee provides independent assurance and assistance to Council on risk management, control, governance, and external accountability responsibilities.

In accordance with its Governing Terms, membership (voting) of the Committee consists of:

- Two Councillors (excluding the Mayor. Two alternate Councillor members will also be appointed)
- A minimum of three independent external members (one of whom to be Chairperson and one of whom to be Deputy Chairperson)

The selection process for independent members to the Audit, Risk and Improvement Committee will occur as outlined below:

1. External independent persons will be appointed by way of public advertisement
2. Applicants will be requested to nominate whether they would like to be considered for the position of Chairperson or Deputy Chairperson of the Committee
3. The members of the Committee, taken collectively, will have a broad range of skills and experience relevant to the operations of Council. At least one member of the Committee shall have accounting or related financial management experience, with an understanding of accounting and auditing standards in a public sector environment
4. The evaluation of potential members will be undertaken in accordance with this Policy and the Committee’s Charter, taking account of the experience of candidates and their likely ability to apply appropriate analytical and strategic management skills, as well as competence in the role of Chairperson, and a recommendation will be put to Council.
5. The Assessment Panel to be convened in accordance with Section 2.2.4 of this Policy to assess applications received will be made of the following members:
  - The Mayor
  - One other Councillor (preferably one of the two Councillor members of the Committee)
  - The General Manager
  - Chief Audit Executive
  - Director Finance
  - Manager Audit, Risk and Governance

6. The Assessment Panel, at its own discretion, may conduct interviews and/or referee check(s) of one or more candidates.
7. The appointment of the Chairperson and Deputy Chairperson will occur in accordance with the Charter of the Audit, Risk and Improvement Committee.