Manly Council
Meals on Wheels Service Advisory Committee

This Committee has been established under section 355 of the Local Government Act 1993 with delegated functions

Terms of Reference

1. Title

The Committee shall be known as the Meals on Wheels Service Advisory Committee (hereinafter called the Committee).

2. Functions

This Committee is established by Manly Council (Council) under section 355 of the Local Government Act 1993, which has, by resolution, delegated to the Committee pursuant to section 377(1) of the Local Government Act 1993 the following functions:

(a) the care, control and management of the Manly Meals on Wheels Service and its associated activities and programs for the HACC target groups, and

(b) such ancillary and incidental functions as may be necessary to give effect to the function specified in paragraph (a), including but not limited to the use of a separate Council approved letterhead, such use and signing of correspondence to be undertaken strictly in accordance with approved Council policy as in force from time to time.

provided that the Committee shall have no power to commit Council to any undertakings or financial commitments not otherwise approved in advance by Council nor any power to make any public comment on any matter.

3. Management

A. Membership of Committee

The Committee shall consist of:

- Councillor Heasman
- 6 Community members

The Community members shall serve on the Committee in a voluntary capacity.

Membership of the Committee shall be reviewed in September 2016.

The quorum for the Committee is 4 members.

This Committee meets as determined by the Committee.

B. Absence from Meetings

A Committee member absent from three (3) consecutive Committee meetings without approval of the Committee shall forfeit his/her place on the Committee.

C. Resignation from the Committee

Any member of the Committee may, by notice in writing addressed to the Committee, resign his/her office as a member.

D. Notification of Vacancies

The Committee shall notify the General Manager promptly of any vacancy occurring in its membership, whether it is through death, absence or resignation from the Committee. The Committee shall submit to the General Manager within 28 days the name of a person considered by the Committee to be suitable for appointment. The General Manager will decide whether to accept that appointment, or to call for public Expressions of Interest. All newly appointed members must participate in a committee induction process as soon as possible following their appointment to the Committee so that they can comply with the proper conduct of meetings.

4. Duties of Officers

A. Chairperson

The duties of the Chairperson are to:

- Direct meetings according to the Committee Terms of Reference, and Council's Code of Conduct.
- Facilitate the discussion of items on the agenda in a timely manner, and the

consideration and approval of recommendations to Council.
- Ensure all committee members have the opportunity to participate in the meetings.
- Not attempt to direct Council staff, including not directing staff as to the content of any advice or recommendation.

B. Secretariat and Staff Officer

The duties of the Secretariat and Staff Officer are to:

- Call all meetings of the Committee.
- Develop and send out the agenda and reports for the meetings.
- Advise the Committee without fear or favour.
- Comply with Council's Guide to Ethical Behaviour: Staff.
- Prepare all minutes and distribute them as described below.
- Keep a record of attendance for every member of the committee.
- Attend to such housekeeping matters as booking meeting rooms and arranging refreshments in accordance with standard protocols.
- The Council Staff will not be members of the Committee, nor have voting rights, nor preside at meetings, apart from when it is necessary to organise the election of a chairperson to preside at the meeting.

C. Members

The duties of the members are to:

- Attend and participate in meetings (as well as induction, planning sessions and relevant training).
- Work co-operatively with other members in achieving the objectives of the Committee.
- Contribute advice, ideas and suggestions relating to items on the agenda.
- Show respect for their peers, councillors, staff and others during Committee meetings.
- Understand that employees of the Council are not subject to the direction of Councillors, Committees or their members.

5. Meetings

- A ***QUORUM*** shall comprise a majority of members on the Committee. A scheduled meeting must be adjourned if a quorum is not present within half an hour after the time designated for the holding of the meeting, or at any time during the meeting. In either case, the meeting must be adjourned to a time, date and place fixed by the Chairperson, or, in his or her absence, by the majority of the members present.

- This is an Advisory Committee, and it is unlikely that there will be a need for voting, however, should that eventuality arise, each member of the Committee shall have one vote and decisions of the Committee shall be by simple majority. In the event of the votes and the members being equal the Chairperson of the

meeting shall have a casting vote in addition to his/her deliberative vote.

- Council Secretariat and staff will attend meetings but have no voting rights, and provide administrative support and professional advice, as determined by the General Manager.

- Items may only be raised under General Business if the permission of the Chairperson is obtained before the meeting starts, and each such item is to have a recommendation;

- The first item on the agenda for all committee meetings (after apologies and requests for leave of absence) shall be the declaring by members present of **pecuniary and non-pecuniary interests** and these shall be recorded in the minutes.

- Any committee member who has a pecuniary interest in any matter on the agenda for a committee meeting, or that arises during a meeting at which they are present, must disclose the nature of the interest to the meeting as soon as practicable, and must not be present at, or in sight of, the meeting at any time during which the matter is being considered or discussed, or at any time during which the committee is voting on any question in relation to the matter.

- Conflicts of interest may also arise due to a strong relationship or affiliation the member may have with a matter being discussed by the committee. These are referred to as non-pecuniary interests. A non-pecuniary interest would be considered significant where the relationship or affiliation is such as it would prevent the member from impartially and objectively considering all the relevant information as a result of this conflict of interest.

- Any committee member who has a non-pecuniary interest in any matter on the agenda for a meeting, or that arises during a meeting at which they are present, must disclose the nature of the interest to the meeting as soon as practicable, and, in the case of a “significant” non-pecuniary interest must disclose the nature of the interest to the meeting as soon as practicable, and must not be present at, or in sight of, the meeting at any time during which the matter is being considered or discussed, or at any time during which the committee is voting on any question in relation to the matter.

- A community member of a committee who is also a member or representative of a community group that could be affected by any matter on the agenda, or that arises during a meeting at which they are present, (irrespective of whether or not the person has a pecuniary or a non-pecuniary interest), must state the name of the community group of which the person is a member or representative, and the matter shall be recorded in the minutes.

6. Working Groups

- The Committee may appoint any number of Working Groups at any time to investigate any matter or thing to which the Committee may require information or to organise and manage, subject to the control of the Committee, any activity

which may be considered by the Committee to be essential to the objectives of the Committee.

- Each Working Group appointed shall have Terms of Reference and a fixed term.

- The Working Group must ensure that full and accurate minutes of the proceedings of its meetings are kept and completed within 2 weeks of the meeting and then reported to the next available Committee meeting.

7. Minutes, Communications and Reporting

- The agendas and minutes of the Committee shall be stored as a permanent record of Council, as determined by the General Manager.

- Once the draft minutes have been approved they will be referred to the Chair of the Committee for confirmation. The draft minutes will then be circulated to Committee members. Any questions by members regarding the minutes are to be referred immediately to the Staff Officer and if any error in the minutes is confirmed, the Staff Officer shall arrange to make the appropriate changes.

- Minutes will be completed within 2 weeks of the Committee meeting and then reported to the next available Council Meeting.

- All agendas shall be published on Council's website prior to the meeting.

- All minutes shall be published on Council's website within 5 days of adoption by Council.

- Members of the Committee are not permitted to speak to the media as representatives of the Committee unless approved by Council.

8. Insurance

- Council shall effect personal accident insurance on Committee members together with legal liability cover, Voluntary Workers, cash in transit and personal property insurance cover.

Note: Legal liability cover will only be provided to members of the Committee and voluntary workers whilst they are acting within the scope of their duties for and on behalf of Council.

9. Statutory Requirements

- The Committee shall ensure that the *Local Government Act 1993* and related Regulations, all other statutory provisions and all Council's Codes and Policies relating to its activities are at all time strictly observed.

10. Dissolution

All committees are automatically dissolved from the date of the quadrennial election.

Adopted: March 2013

Modified: 19 February 2014

Addendum:

Members of the Meals on Wheels Advisory Committee

Councillor Representatives:

- Councillor Heasman

And the Mayor as ex-officio

Community Members:

John Collins
Robert Reed
Michelle Sas
June Whelan
Maureen Cotterell
Andrew McEwen