



---

# Business Policy

## Consultative Committees

---

### CONTENTS

---

<b>1. Purpose</b> .....	<b>2</b>
<b>2. Scope</b> .....	<b>2</b>
<b>3. Policy Statement</b> .....	<b>2</b>
3.1. Establishing a Committee .....	2
3.2. Committee Principles.....	4
3.3. Committee Member Code of Conduct .....	4
<b>4. Attachment 1</b> .....	<b>6</b>
<b>5. Attachment 2</b> .....	<b>9</b>

## 1. Purpose

This policy describes the governance and management framework for industry consultative committees in the Department of Agriculture, Fisheries and Forestry. A range of consultative committees operates within the department to discuss specific industry issues.

## 2. Scope

The scope of this policy is for the establishment, governance and management of consultative committees and their sub committees.

## 3. Policy Statement

### 3.1. Establishing a Committee

#### **Affirm the need for a committee**

The department will determine the need for specific industry consultative committees. As a part of this process the department will determine:

- the committee's life span
- terms of reference
- membership, and reporting requirements.

The department may also determine the need for sub-committees to be formed. The administrative affairs of the committee or sub-committee will be managed by the department, unless otherwise specified.

Questions to be asked when establishing a committee are:

- Does this committee enhance the department's strategic focus?
- Could the committee's functions and focus be handled by an existing committee or by some other arrangement?
- Is it the best use of senior officers' time? Is
- it an appropriate use of public money?
- Is the committee ongoing or will it be limited by time or purpose?  
Should the costs of travel of committee members be met and if so, where will the funds be sourced?

#### **Develop terms of reference and administrative guidelines**

The terms of reference outline the purpose and deliverables of the committee. The terms of reference may be written by the secretariat and cleared with the relevant Deputy Secretary. Terms of reference should include the committee's aims, expected outcomes and timeframes, as well as the scope and limitations of the committee's intended activities. A template for the terms of reference is at Attachment 1.

Administrative guidelines provide a framework for how the committee will operate. It should include information such as committee membership, appointments and removal of members, conflict of interest and confidentiality provisions. It should also include the number and frequency of meetings, vacancies and minimum attendance at the meetings to hold a quorum. A template for the administrative guidelines is at Attachment 2.

The committee terms of reference and administrative guidelines should be reviewed as a minimum every three (3) years to determine whether the committee and membership remain valid.

### **Types of membership**

Members may be appointed to a consultative committee as:

- An individual – the person participates on the basis of his or her personal skills, experience, knowledge and expertise but does not represent an organisation, or
- An endorsed representative – where a person is endorsed by a stakeholder organisation to be its participating representative. The organisation may be government or non-government.

Committees will also include appropriate departmental representatives including SES officers. The chair will ordinarily be an SES departmental officer, unless otherwise determined.

### **Selecting members**

Relevant Deputy Secretaries will determine committee membership. Usually members will be appointed to a consultative committee in their 'representative' capacity in relation to the relevant industry sector. This means that industry members are being asked to represent the general views and interests of their industry sector when participating in the committee. Industry bodies may suggest or recommend potential members for the committee.

### **Committee scope**

Committees should be limited to a specific scope, identified in the committee's terms of reference. Committees are not intended to discuss basic operational issues or personal concerns of committee members. Consultative committees are not regulatory or decision making bodies and are not authorised to spend or commit funds. Committees act in a consultative capacity rather than an advisory capacity.

### **Work plan and objectives**

The committee should establish clear objectives. In some instances it may be required that a work plan be established with agreement by members. All members should contribute to the projects identified on the work plan.

### **Administration of committee**

All committees will establish a secretariat, which will be managed by the department, to provide support services to the committee. The secretariat will be responsible for:

- Arranging committee dates
- Arranging committee meeting locations, required equipment and catering
- Distributing committee papers and minutes
- Coordinating responses from committee members when reporting on issues out of session
- Maintaining a Govdex website to allow members to access and download

- committee documents (as appropriate)
- Maintaining and tracking performance against the committee's objectives.

Generally, the secretariat will not be responsible for arranging or booking members travel or accommodation.

### **3.2. Committee Principles**

The following principles will apply to consultative committees:

- Consultative committees are accountable for the progression of projects, identified in the committee's work plan.
- Terms of appointment will be specified (usually three (3) years) and committee members will be eligible to serve no more than two (2) terms consecutively, unless otherwise agreed.
- Committees may co-opt independent expertise to the committee if required and establish working groups to deal with specific issues as required.
- Committee members must be able to demonstrate a sound understanding of the industry they are representing and be able to bring forward issues for consideration based on that consultation.
- An appointment cannot be transferred or assigned to anyone else; however the department may in some circumstances allow a proxy to attend in place of the member. The proxy must be able to represent the relevant industry sector. Where a member resigns prior to the end of their appointment, a new member will need to be appointed by the relevant Deputy Secretary.
- Generally, unless otherwise agreed, committee members will not be entitled to any remuneration or travel expenses from the Commonwealth.
- Appointment to a committee is not intended to create a relationship of employment or agency between the member and the Commonwealth. In this regard, for example, committee members will not be entitled to sick leave, annual leave, or worker's compensation entitlements. Accordingly, committee members may wish to consider taking out and maintaining relevant insurance for the duration of their appointment.
- Unless intellectual property exists in an industry sector, ownership of copyright and all other intellectual property rights will vest on their creation in the Commonwealth.
- Any information or material provided to committee members by the Commonwealth in connection with the activities of the committee is to be used strictly in accordance with any conditions or restrictions that are specified by the Commonwealth. If that information or material is of a confidential nature, it is also to be used solely for the purposes of the committee. If committee members are provided with any confidential information, they are asked, on completion of the task or their term, to return all such information to the secretariat.
- Consideration should be given to whether observers are allowed to attend meetings. If so, guidance in relation to participation and behavioural expectations should be provided. This should include the application of confidentiality and conflict of interest provisions.

### **3.3. Committee Member Code of Conduct**

The code of conduct requires that committee members must:

- Be aware that their private interests, both financial and personal, could conflict with their duty as a committee member. Committee members must declare a conflict of interest, whether it is real or apparent, to the department and committee secretariat.
- Not improperly use their position, status, power or authority to gain a benefit or advantage for themselves or others. Generally, committee members should not accept gifts or benefits (which in some instances may be seen as a bribe) without seeking advice from the department or committee secretariat.
- Treat everyone, including other committee members, departmental officers and guests, with courtesy and respect.
- Display an awareness of and sensitivity to the diversity of the Australian community. It is unlawful to discriminate against people on the grounds of disability, sex, marital status, pregnancy, family responsibility, race, colour and national or ethnic origin.
- Exercise reasonable care when giving information or advice. This applies equally to written or verbal advice. The standard of care required relates to the nature of the enquiry and the possible consequences that may arise if the advice given is incorrect.
- Committee Members at the workplace have a duty to take reasonable care for their own health and safety and to take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons. They also must comply, so far as they reasonably can, with any reasonable instruction given by the person conducting the business or undertaking to allow the person to comply with the WHS Act.
- Use Commonwealth resources in an appropriate manner. Comply
- with all applicable Australian laws.

Maintain appropriate confidentiality as advised from time to time by the department or committee secretariat and not make improper use of:

- Inside information; and
- The member's duties, status, power or authority, in order to gain or seek to gain, a benefit or advantage for the member or any other person.
- Comply with any other conduct requirement that is prescribed by the committee.
- Refrain from contacting the Minister or Parliamentary Secretary for Agriculture, Fisheries and Forestry, members of parliament or the Secretary of the Department of Agriculture, Fisheries and Forestry concerning committee matters. Any approach is to be made through the committee secretariat.
- Refrain from making or causing any comment or statement concerning any committee matter to any member of the media. The committee secretariat or chairperson will coordinate such comments through departmental media channels.

## 4. Attachment 1



Australian Government  
Department of Agriculture  
and Water Resources

# BRANCH (Name)

## INDUSTRY CONSULTATIVE COMMITTEE (Name)

### ADMINISTRATIVE GUIDELINES

**Version Number** xx  
**Owner** Assistant Secretary, BRANCH  
**Contact** Director, XXXXX Program  
**Email address**  
**Availability** Internal and External  
**File No.** xxxx E  
**Date Published** XXXXX

ISSUE/REV	DATE	REVISION DESCRIPTION	BY

**Contents:**

<b>BRANCH (Name)</b> .....	<b>6</b>
<b>1 Introduction</b> .....	<b>8</b>
<b>2 Role of Committee</b> .....	<b>8</b>
<b>3 Membership</b> .....	<b>8</b>
<b>4 Terms of Appointment</b> .....	<b>8</b>
<b>5 Appointment process</b> .....	<b>8</b>
<b>6 Member Code of Conduct</b> .....	<b>8</b>
<b>7 Confidentiality</b> .....	<b>8</b>
<b>8 Member Declaration of Interests</b> .....	<b>8</b>
<b>9 Operation of the Committee</b> .....	<b>8</b>
<b>10 Meeting papers and correspondence</b> .....	<b>8</b>
<b>11 Meeting minutes</b> .....	<b>8</b>
<b>12 Funding and expenses</b> .....	<b>8</b>
<b>13 Secretariat</b> .....	<b>8</b>

- 1 Introduction
- 2 Role of Committee.
- 3 Membership
- 4 Terms of Appointment
- 5 Appointment process
- 6 Member Code of Conduct
- 7 Confidentiality
- 8 Member Declaration of Interests
- 9 Operation of the Committee
- 10 Meeting papers and correspondence
- 11 Meeting minutes
- 12 Funding and expenses
- 13 Secretariat



## 5. Attachment 2

# Branch (Name)

## INDUSTRY CONSULTATIVE COMMITTEE (Name)

### TERMS OF REFERENCE

**Version Number** XX  
**Owner** Assistant Secretary, XXXXXX Branch  
**Contact** Director, xxxxxx Program  
**Email address**  
**Availability** Internal and External  
**File No.** XXXXXXE  
**Date Published** XXXX

ISSUE/REV	DATE	REVISION DESCRIPTION	BY

## Contents:

<b>Branch (Name)</b> .....	<b>9</b>
<b>1. Purpose</b> .....	<b>11</b>
<b>2. Aims</b> .....	<b>11</b>
<b>3. Expected deliverables</b> .....	<b>11</b>
3.1 Industry .....	11
3.2 Department of Agriculture and Water Resources.....	11
<b>4. Scope and limitations</b> .....	<b>11</b>
<b>5. Expected lifespan</b> .....	<b>11</b>
<b>6. Membership and structure</b> .....	<b>11</b>
6.1 Nomination and selection – Industry committee members.....	11
6.2 Nomination and selection – Departmental committee members.....	11
6.3 Nomination and selection – Chairperson of the committee.....	11
6.4 Nomination and selection – Proxy.....	11
6.5 Nomination and selection – Observers.....	11
<b>7. Resignation, dismissal and retiring of members</b> .....	<b>11</b>
<b>8. Meeting frequency</b> .....	<b>11</b>
<b>9. Sub-Committee</b> .....	<b>11</b>
<b>10. Review of terms of reference</b> .....	<b>11</b>

1. Purpose
2. Aims
3. Expected deliverables
  - 3.1 Industry
  - 3.2 Department of Agriculture and Water Resources
4. Scope and limitations
5. Expected lifespan
6. Membership and structure
  - 6.1 Nomination and selection – Industry committee members
  - 6.2 Nomination and selection – Departmental committee members
  - 6.3 Nomination and selection – Chairperson of the committee
  - 6.4 Nomination and selection – Proxy
  - 6.5 Nomination and selection – Observers
7. Resignation, dismissal and retiring of members
8. Meeting frequency
9. Sub-Committee
10. Review of terms of reference