

Frankston City Council Disability Access and Inclusion Committee (DAIC)

Terms of Reference

1. Purpose

The Disability Access and Inclusion Committee (DAIC or the Committee) provides advice to the Frankston City Council (Council) on issues relating to access and inclusion for people with disabilities, families and carers of people with disabilities, living, working in or visiting Frankston City.

The relationship between Council, Council officers and the Committee will be one of consultation, advocacy and collaboration. The Committee will provide advice and promote innovative ideas to inform Council's planning and provision of services and facilities. Council will provide appropriate feedback and updates to the DIAC regarding the outcome of their recommendations.

2. Background

Council established its first Disability Advisory Committee in 1988, and many people with various interests and skills have worked together since then to advise Council to improve access and inclusion in Frankston City.

Council's Disability Action Plan is the main Council document related to addressing disability access and inclusion. The Disability Action Plan addresses the four (4) areas identifies in the Victorian Disability Act 2006. These are:

- Reducing barriers to people with a disability in accessing goods, services and facilities
- Reducing barriers to people with a disability in obtaining and maintaining employment
- Promoting inclusion and participation of people with a disability in the community
- Achieving tangible changes in attitudes and practices which discriminate against people with a disability.

The implementation of the Disability Action Plan contributes to Council's obligations under the Disability Discrimination Act 1992 and the Charter of Human Rights and Responsibilities Act 2006.

The role of the Committee is:

- a) To provide advocacy and advice on issues, projects and plans to enhance the access, participation and inclusion of people with a disability in Frankston City; and
- b) To support Council in achieving the goals outlined in the Disability Action Plan.

3. Membership

The Committee shall comprise of twelve (12) members as follows:

- a) Eight (8) individual community representatives.
- b) Four (4) organisational and/or agency representatives.

Expectations of Committee members are outlined in Appendix A – Code of Conduct.

The Committee will be supported and resourced by Frankston City Council officers. Council staff have no voting rights.

To help promote awareness of local access and inclusion challenges, a Councillor delegate will be invited to attend DAIC meetings. The Councillor will have no voting rights.

4. Eligibility Criteria

Membership of the DAIC will be, as far possible, selected to represent a range of areas of disability, ages, genders, cultural backgrounds and localities. It would be ideal that members represent disabilities that are mobility, hearing, sensory, intellectually, psychosocial and/or age related.

- a) Community representatives should be a resident of Frankston City and meet at least one of the following eligibility criteria:
 1. Have personal experience of disability;
 2. Be a carer of someone with a disability; and/or
 3. Have substantial experience in the field of disability.

- b) Organisational representatives should meet at least one of the following eligibility criteria:
 1. Represent a Frankston City community group with a demonstrated interest in disability issues;
 2. Represent a level of state or federal government concerned with the support or wellbeing of people with a disability; and/or
 3. Represent an organisation operating in Frankston City involved in service provision to people with a disability in the areas of employment, support, education or recreation.

Organisational representatives are chosen to reflect a range of services and disabilities, and membership may be rotated over a period of time to enable a broad range of representation across the services provided.

5. Selection Criteria

Committee members will be selected based on their capacity to:

1. Commit to the functions of the Committee;
2. Work within and contribute to a positive team environment
3. Represent a diverse experience of disability within the committee (e.g. area of disability, age, gender, cultural background locality etc.)

6. Recruitment

- a) Individuals and Organisations may submit an expression of interest to join the DAIC at any time. They will be placed on a waiting list and will be notified when positions become vacant.
- b) Vacant positions will be advertised calling for expressions of interest via media such as the Frankston City Council website and social media platforms, Frankston City News, disability forums and local media.
- c) Where possible, individuals/organisational representatives who have submitted an expression of interest will be invited to attend up to 2 DAIC meetings as an observer (as per Clause 13), to help them understand how the committee operates so they can make an informed decision about whether the committee is right for them.
- d) To formally apply for a position on the committee interested individuals/organisations must answer a set of questions relating to the eligibility and selection criteria. Council officers will be available to answer questions and provide support to applicants in this process.

7. Process of Selection

The following procedure will be used to elect members to the DAIC:

- a) A selection panel responsible for deciding which applicants are appointed to the Committee, will be made up of elected Committee members.
- b) The selection panel will be responsible for recruitment for a six (6) month period (any casual vacancies will be decided by the panel during this period). After six months, the Committee will need to elect a new panel if required.
- c) The selection panel will assess applicant's answers against the eligibility and selection criteria. Preferred candidates may then be invited to an interview with the selection panel before a final decision is made.
- d) All applicants will be contacted to inform them whether or not they were successful.
- e) Council officers will provide unsuccessful applicants and outgoing committee members with a list of alternative options they may wish to pursue to contribute to the Council and wider community.

8. Terms of Appointment

- a) Members will be appointed for a term of two (2) years. Where possible, the terms of members should be arranged so that there is an orderly rotation of members, with no more than half of the positions vacant at any given time.
- b) At the conclusion of a term, existing members may re-nominate and will be subject to the selection process.
- c) A member shall be deemed to have resigned if they fail to attend three (3) consecutive meetings of the Committee 'without notice'. However, the Committee may grant leave of absence for an extended period.
- d) When members are not able to attend meetings and provide an apology, the Committee will be flexible about multiple non-attendances, acknowledging the health and support needs associated with active citizen participation.
- e) The Committee may grant a leave of absence if required.
- f) Organisational representatives may elect to send a delegate from their organisation if unable to attend.

9. Casual Vacancy

A Casual Vacancy of the DAIC membership occurs when a member resigns, or is deemed to have resigned, through extended absence without notice, refer to Terms of Appointment clause (c).

Filling of Casual Vacancies:

- a) Where there are applicants in excess through the membership renewal process of the DAIC, an eligibility list will be created. In the event of a casual vacancy, those on the eligibility list will be invited to join.
- b) Where no eligibility list exists, the Committee may make recommendations to the Chair to fill any vacancy on the Committee and a new appointment shall be decided by a quorum.
- c) If no recommendations are received a public notice will be placed in local newspapers and other mediums advising of the vacancy and asking for expressions of interest. Given the resources required to advertise vacancies through a range of diverse mediums, a minimum of two (2) vacancies is required for a formal recruitment drive.
- d) The term of office of the newly appointed Committee member will end at the conclusion of the next recruitment period.

10. Meetings

- a) There will be a maximum of (8) standard DAIC meetings per year.
- b) Dates and times for DAIC meetings will be set at the end of the calendar year for the following calendar year, and will be circulated to the Committee.
- c) Meetings may occur in person, online or be a hybrid where participants may choose to join online or in person.
- d) Notification will be provided to Committee members via their preferred form of communication, as soon as possible when meetings are cancelled or the venue is changed.
- e) Additional meetings arranged for consultation or project purposed but participation in these will be voluntary.

11. Agenda and Minutes

- a) Frankston City Council officers will prepare the agenda of each meeting, seeking input from DAIC members. These will be sent out a week in prior to the meeting.
- b) Preparation of minutes will be the responsibility of Frankston City Council officers. However, committee members who are keen to contribute and build skills in this area will be encouraged and supported to so. Frankston City Council will circulate minutes to all members.
- c) Minutes will be presented at the following meeting for committee approval.
- d) Committee minutes and records of meetings are on the public record and therefore available to any member of the public wishing to view them. Where there is a requirement for confidentiality this is noted in the minutes and shall be addressed accordingly.

12. Election of Chairperson and Vice Chairperson

- a) The Committee will elect a Chairperson and a Vice Chairperson for a two (2) year term.
- b) Nominations will be received from all voting members of the Committee. Where more than one nomination is received the positions will be elected via a confidential majority vote.

13. Role of Chairperson and Vice Chairperson

- a) The Chairperson shall chair all meetings of the Committee or delegate as required.
- b) The Chairperson is responsible for ensuring that the Committee operates in a timely and effective manner within these Terms of Reference.
- c) The Chairperson shall be available to liaise with Committee members, Council officers, Councillors and/or the Council and may on occasion be required to represent the DAIC at Council meetings or briefings.
- d) The Vice Chairperson will deputise for the Chairperson at meetings and when authorised by the Committee.

- e) The Vice Chairperson shall support/assist the Chairperson to carry out their role.

14. Decision Making

- a) A quorum will consist of half the number of the Committee plus one.
- b) All decisions of the Committee shall be based on a majority decision of the members present. In the event of a vote occurring and that vote being tied, the Chairperson shall, in addition to a deliberate vote, have a second or casting vote.

15. Working Groups

- a) The Committee may establish working groups for a specified purpose. The Committee shall develop a statement of the role, responsibility, tasks and reporting procedures for the working group. Key stakeholders will be consulted when establishing a working group. Non-members may be co-opted to a working group. A member of the Committee shall chair such working groups.

16. Inclusive Practices

Any disability-related support required to enable participation on the Committee will be provided by Council. This includes:

- a) Support for accessing information (minutes, agenda and documents in Easy English, plain language, large print, Braille, electronic and Auslan interpretation).
- b) Support to develop knowledge relevant to participation (e.g. self-advocacy training, meeting skills, participation skills, how to communicate effectively).
- c) Support for engaging in the processes of the Committee (e.g. one-to-one support or support staff at meetings).
- d) Support for forming collegial relationships that provide informal support.
- e) Covering costs for travel, participation and other reasonable costs (if not covered in NDIS package).

17. Monitoring and Evaluation

- a) The Committee will review the Terms of Reference annually, at the first meeting of the calendar year, to ensure that it continues to fulfil its purpose in response to current and emerging community need.
- b) The Committee may on occasion, review the Terms of Reference earlier in special circumstances. Any proposed changes to the Committee's Terms of Reference resulting from a review must be agreed to by the Committee.

- c) Committee members are encouraged to provide feedback about the Committee and their experience throughout the year during meetings, via agenda items or by contacting the Chairperson or Council support officer outside of meetings.
- d) The first meeting (February) of each year will involve evaluating the past 12 months agenda items and Committee functioning, as well as planning key focus areas, actions and outcomes for the following year.

18. Observers of Meetings

- a) Members of the community who wish to observe Committee meetings may express an interest to the Council support officer.
- b) Observers will be invited to attend a meeting, with a limit of only one (1) observer to attend per meeting with a maximum of two (2) meetings per year.
- c) The observer limits outlined in clause 12b will not apply during recruiting periods, when potential DAIC applicants will be invited to up to 2 meetings to allow them to observe DAIC processes and decide if they want to pursue their application.
- d) As they are not Committee members, observers do not have voting rights and do not normally have speaking rights (though the Chairperson may invite them to speak in appropriate circumstances).
- e) Observers will be provided with information on meeting expectations, as outlined above in clause 13. b and c, prior to them attending a meeting.

Appendix A

Frankston City Council

Disability Access and Inclusion Committee (DAIC)

Code of Conduct

This Code of Conduct outlines the behaviours expected of Committee members both within and outside Committee meetings; the responsibilities and obligations of Committee members, Council representatives and other parties; and, expectations with respect to ethical dilemmas or conflicts of interest.

All members shall conduct Committee affairs / meetings in accordance with this code:

- 1) Observe the highest levels of conduct in undertaking their Committee activities, recognising the values of trust, integrity, honesty, respect and justice for all
- 2) Act in the best interests of people with a disability, and not allow personal interests to override the interests of people with disabilities
- 3) Declare any real or perceived conflicts of interest
- 4) Respect diversity; treating all people equally and fairly
- 5) Refrain from using any circumstance or information connected to Committee business for personal profit or gain
- 6) Protect and promote the integrity of people with a disability
- 7) Treat others with courtesy, consideration, and sensitivity
- 8) Ensure all actions, decisions and advice are based on a comprehensive consideration of relevant facts and best practice
- 9) Use information in a careful and prudent manner
- 10) Develop skills and competencies in accordance with responsibilities and help others to do so

Meeting Etiquette

- 11) Strive to attend all meetings, sending apologies to the Chairperson for necessary absences
- 12) Prepare for the meeting by reviewing the agenda, papers and any emails before the meeting
- 13) Talk to the Chairperson before the meeting if you need to clarify anything

- 14) Arrive on time and stay until the end of the meeting
- 15) Participate fully in the meeting;
- 16) Listen to what others have to say and keep an open mind
- 17) Contribute positively to the discussions
- 18) Try to be concise
- 19) Help others concentrate on the meeting by discouraging side conversations
- 20) Have the best interests of the organisation/community in mind at all times
- 21) Draw attention to any potential conflicts of interest that may arise in the meeting
- 22) Fulfil any responsibilities assigned to you at the meeting and be prepared to report back on your progress at the next meeting

Conflict of Interest

Conflict of interest may arise for various reasons and Committee members may have private interests that from time to time conflict with their public duties. There is an expectation that where such conflict occurs it will be resolved in favour of the community rather than private interest.

- a) Members of the Committee must, having reviewed the agenda for a meeting, or when becoming aware of a potential conflict of interest, immediately advise the Chairperson.
- b) If appropriate, members of the Committee should leave the meeting whilst the matter is discussed and not participate in any decision making relative to the issue.

Grievances

- a) In the event of any unresolved matter or dispute, all parties concerned will be encouraged to discuss the matter and attempt to resolve it as soon as possible.
- b) If the Committee members/ parties are unable to resolve the dispute independently, the Committee members/parties may then agree to hold a meeting in the presence of a mediator.
- c) The Committee may nominate a representative to be invited to assist in facilitating the decision of an acceptable mediator. All parties must agree to the mediator.

- d) All parties will be given reasonable opportunity to be heard and ensure that natural justice is accorded.

Process for Handling Breaches of the Code of Conduct

Should there be concerns regarding a possible breach of the Code of Conduct by any Committee member, the following process will apply.

- 1) The matter is raised in writing at a meeting of the Committee for discussion, with all parties concerned having the opportunity to talk to their case;
- 2) The Committee reviews the matter and determines a course of action. Options for addressing the breach include:
 - a) A written warning to the person concerned and if it happens a second time the person's term on the Committee is terminated;
 - b) For issues that act against an agreed Committee decision the person's term on the Committee would be terminated immediately

Glossary

People with Disability / Persons with Disabilities – The Disability Access and Inclusion Committee use the definition used in the United Nations Convention of the Rights of Persons with Disabilities:

“Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.”

Council – Frankston City Council

DAIC - Disability Access and Inclusion Committee

Disability Action Plan – plan required through the Victorian Disability Act 2006 to reduce barriers and to promote inclusion and participation of people with a disability in the community

Community Representatives are residents of Frankston City, and either have personal experience of disability, are a carer of someone with a disability; and/or have substantial experience in the field of disability.

Organisational Representatives represent a Frankston City community group with a demonstrated interest in disability issues, or a level of state or federal government concerned with the support or wellbeing of people with a disability; and/or an organisation operating in Frankston City involved in service provision to people with a disability in the areas of employment, support, education or recreation.

Selection Criteria – the skills, experience and abilities required/needed to become a member of the DAIC.

Casual Vacancy – A vacant position of the Committee created when a member resigns, or is deemed to have resigned, outside of the cyclical recruitment process.

Recruitment Process - The terms of each membership are arranged so that there is an orderly rotation with no more than half of the positions vacant at any given time.

Quorum – minimum number of Committee members required at a meeting for the Committee to be considered representative and to be able to undertake Committee business.

Observer - Community members who will wish to attend meetings. They do not have voting rights and do not normally have speaking rights (though the Chairperson may invite them to speak in appropriate circumstances). They can only attend two meetings a year.