

Manningham Arts Advisory Committee

Draft Terms of Reference 2023

<p>What is the Manningham Arts Advisory Committee?</p>	<p>The Manningham Arts Advisory Committee (MAAC) will provide strategic advice to Council on how to ensure Manningham maintains a vibrant, diverse, culturally relevant, and economically impactful and sustainable arts sector. The MAAC will strengthen the voice of artists and arts professionals and help ensure Manningham’s arts programming reflects and engages with the contemporary community.</p>
<p>1. Purpose</p>	<p>The MAAC provides a formal way for Council to seek input and guidance from the community. The guidance is used to support quality decision making and help Council to achieve its goals and objectives under the Council Plan. The MAAC will act in an advisory capacity only and has no delegated authority to make decisions on behalf of Council.</p>
<p>2. Role and Objectives</p>	<p>The role of the MAAC is to provide a direct link between Council and artists, creative industries professionals and arts audiences in the community.</p> <p>MAAC members will:</p> <ul style="list-style-type: none"> • Provide advice regarding best practice for the commissioning and management of public art and indoor artworks that are to be accessioned into the Manningham Art Collection. • Provide broad advice and recommendations relating to arts and cultural planning matters. • Be invited to form sub-committees or join tender panels for the assessment of public artwork commissions and commissions/acquisitions of indoor artworks for the Manningham Art Collection. • Provide strategic advice and direction on the development and review of key Council strategies, policies and plans, specifically those relating to the arts, economic development, urban design and community infrastructure. • Contribute to the work of other advisory committees where relevant as subject matter experts. • Report to Council via an annual report regarding MAAC’s activities, advice and achievements.
<p>3. Delegated Authority and Decision Making</p>	<ul style="list-style-type: none"> • Advisory committees provide advice to Council and officers to assist their decision making. • In accordance with section 124 of the <i>Local Government Act 2020</i>, it is an offence for a councillor to direct or seek to direct a member of Council staff in the performance of specific types of tasks and specifies a maximum penalty level.

<p>4. Chairperson</p>	<ul style="list-style-type: none"> • Meetings will be chaired by a Manningham Councillor nominated by Council on an annual basis. If the Chairperson is absent, a Councillor representative will chair the meeting in order to maintain a quorum. • Meetings will be chaired in a way that promotes respectful discussion of the issues, to arrive at an agreed view that fairly reflects the sense and will of the meeting. • The Councillor Chairperson is responsible for reporting to Council any matters of interest that arise as part of the meeting procedures.
<p>5. Membership</p>	<ul style="list-style-type: none"> • At least one councillor appointed annually who acts as Chairperson. • A range of volunteer committee members (up to eight [8]) appointed by Council through an expression of interest, selection and endorsement process to provide an even mix of: <ul style="list-style-type: none"> ○ Representatives of professional arts sector organisations, service providers or tertiary institutions; ○ Professional artists living or practising locally, or with a demonstrated close connection to Manningham with relevant skills and experience; and ○ Preferably a minimum of one member who identifies as First Nations. • Council officers comprising: <ul style="list-style-type: none"> ○ A senior Council Officer, either Director or Manager; ○ Service area coordinator to act as Secretariat; and ○ Subject matter experts.
<p>6. Co-opted Membership</p>	<p>Representatives from peak bodies, service providers and Council may be invited to attend MAAC meetings to provide specific advice on an as-needs basis and do not contribute to the MAAC quorum.</p>
<p>7. Quorum</p>	<p>50% plus one comprising:</p> <ul style="list-style-type: none"> • One councillor or delegated representative; and • Five community or arts sector representatives. <p>Together with one officer as Secretariat.</p>
<p>8. Membership Criteria</p>	<p>Applications will be assessed against the specific criteria as follows:</p> <ul style="list-style-type: none"> • Either: <ul style="list-style-type: none"> ○ Represent a professional arts sector organisation, service provider or tertiary institution; or ○ Be a professional artist living or practising locally, or with a demonstrated close connection to Manningham, with relevant skills and experience. • Have a strong understanding of contemporary ideas and issues relating to the arts sector. • Represent diversity including age, gender, sexuality, ability, cultural background, intersectionality, arts practice and geographic location. • Demonstrated commitment to actively and constructively contributing to the MAAC with or without support (eg. interpreting service). • Willingness and ability to engage in open and respectful discussions that add value to the MAAC. • Availability to attend 80% of the meetings scheduled throughout the year. • Willingness to sign a Code of Conduct for committee members and abide by the terms of appointment (see Section 10 below).

<p>9. Membership Appointment</p>	<ul style="list-style-type: none"> • Expressions of interest for the full MAAC membership will be sought in the local media, on Council's website or by invitation to relevant local or peak agencies or community organisations: <ul style="list-style-type: none"> ○ Nominations shall be submitted via the Council form (available on Council's website) within the advertised nomination period; ○ Inclusive techniques will be used to ensure access for the broadest reach possible; ○ Applicants will be supported to access, complete and submit the form in the way that best suits them; ○ Applications will be assessed by officers and recommendations will be presented at a Council meeting for formal approval; and ○ Advisory committee membership appointments will be made by Council and formally endorsed, based on appropriate membership mix responsive to the criteria above • Casual vacancies that occur due to a representative resigning or membership lapsing may be filled by co-opting suitable candidates identified from the most recent selection process for the remainder of the previous incumbent's term: <ul style="list-style-type: none"> ○ Officers, in consultation with the chairperson, will make a recommendation to the Chief Executive Officer to appoint a suitable candidate to join MAAC for the remainder of the previous incumbent's term. ○ Where there are no suitable candidates identified, a formal expression of interest and formal Council endorsement is required (as outlined earlier in Section 9) ○ Where a vacancy occurs within six (6) months of the current membership term expiring, and providing that a quorum is maintained, there is no requirement to fill the vacancy for the remainder of the term.
<p>10. Membership Responsibilities</p>	<ul style="list-style-type: none"> • Councillors are bound by the Councillor Code of Conduct. • Council officers are bound by the Employee Code of Conduct. • Committee members are bound by an Advisory Committee Member Code of Conduct, which includes the following: <ul style="list-style-type: none"> ○ Act with integrity; ○ Act with impartiality and exercise responsibility in the interests of the local community; ○ Not seek to confer an advantage or disadvantage on any person, including one's self; ○ Disclose any actual or perceived conflict of interest; ○ Undertake Council values, <i>WE ARE Manningham</i>: <ul style="list-style-type: none"> ▪ Working Together; ▪ Excellence; ▪ Accountable; ▪ Respectful; and, ▪ Empowered. ○ Take reasonable care of one's own health and safety and that of others; ○ Commit to regular attendance at meetings, a minimum of 80%. Members should provide an apology, preferably in writing to the Chairperson and Secretariat as soon as they are aware that they cannot attend a meeting; ○ Commit to active contribution to the work of the committee;

	<ul style="list-style-type: none"> ○ Committee members must defer any media enquiries to the Chairperson in the first instance and should not respond as a representative of the committee; ○ Committee members are also bound by Council’s Social Media Policy and must not respond to any media enquiries, but refer same to the Chairperson or Secretariat; and ○ Online behaviour should be consistent with the behaviours outlined above. Committee members must not engage in any conduct online that would not be acceptable in their workplace or that is unlawful. For example, do not make derogatory remarks, bully, intimidate, harass other users, use insults or post content that is hateful, slanderous, threatening, or discriminating. <ul style="list-style-type: none"> ● A breach of the Code of Conduct may result in committee membership terminating.
<p>11. Appointment Terms</p>	<ul style="list-style-type: none"> ● Councillor representatives are endorsed annually by Council. ● Volunteer organisational and artist representatives are endorsed for a two (2) year period: <ul style="list-style-type: none"> ○ A member of the committee may resign at any time. Notice of resignation or change of service provider/organisation representation can be made at any time in writing to the Chairperson and the Secretariat; ○ Service providers and community organisations are able to appoint and/or substitute a representative at their discretion; and ○ If a committee member fails to attend three (3) consecutive meetings without giving prior notice, membership is deemed to have lapsed.
<p>12. Committee Administration</p>	<ul style="list-style-type: none"> ● The Secretariat will be responsible for preparation of meeting agendas, minutes, reports and other administrative functions: ● Each agenda must commence with an Acknowledgement of Country. ● An agenda, prepared in consultation with the chairperson, will be circulated to committee members a minimum of seven (7) days prior to the meeting. ● Secretariats will be experienced in minuting advisory committees and the public distribution of minutes; and/or provided with appropriate training. ● Committee members should familiarise themselves with the agenda material prior to the meeting and come to meetings prepared and informed. ● Draft minutes of the MAAC meeting will be circulated to Committee members within two weeks of the meeting. ● Confirmed MAAC meeting minutes to be placed on the Councillor Hub. ● The MAAC will submit a written report and/or presentation to Council by November each year; summarising MAAC’s activities and achievements for the preceding 12 months, and ensuring continued alignment with Council’s strategic objectives. ● The report on MAAC’s activities and achievements for the preceding 12 months will be published on the Council website.

<p>13. Meeting Procedures</p>	<ul style="list-style-type: none"> • Quarterly meetings will be pre-scheduled, at a time and place determined by the Chairperson in consultation with MAAC members. • Additional meetings will be subject to approval by both the Chairperson and the relevant senior council officer. • With the exception of co-opted members, meetings are closed to the general public. • Any councillor may attend any advisory committee meeting to observe. • Committee members provide advice, as far as practicable, on a consensus basis. • Committee members are supported by Council to participate in meetings remotely if unable to physically attend. • Committee members must not disclose information that they know, or should reasonably have known is confidential information. • Committee members have an obligation to not disclose any materials or information that is not publicly available unless approved by the Chairperson or a representative of Council. • Any actual or perceived conflicts of interests should be declared by councillors, MAAC members, or officers prior to the agenda item discussion, with the relevant committee member leaving the room, with the declaration and absence recorded in the meeting minutes.
<p>14. Review</p>	<ul style="list-style-type: none"> • MAAC's Terms of Reference, membership, and productivity will be reviewed annually to ensure currency and effectiveness. • The Councillor Chair is responsible for reporting to Council on the Committee's progress on behalf of the Committee. • The terms of reference may be revoked at any time by Council. • MAAC will sunset four (4) years from the date of adoption.

Definition of Key Terms	Advisory Committee	<p>Manningham Council's Advisory Committee Policy 2019 - 2023 defines the main function of an Advisory Committee as enabling stakeholder engagement that provides input and guidance to support quality decision making and in turn, the achievements of Council's goals and objectives under the Council Plan.</p> <p>Advisory committees facilitate access to independent advice from external stakeholders and collaboration with the community on a range of matters. Advisory committees generally have a life span beyond one year and are aligned with a Council plan or strategy.</p>
	Chairperson	The person appointed to facilitate an advisory committee meeting, in this case, a Councillor.
	Co-opted membership	Appointment to membership of an advisory committee by invitation of the existing members.
	Council	The Councillor group participating in decision making at a formally constituted Council meeting.
	Councillor	Elected representatives of Manningham Council.
	Intersectionality	The combination of various characteristics such as age, gender, cultural background, sexuality and ability that contribute to a person's lived experience, and in some cases may lead to discrimination or disadvantage.
	Officer or Council Officer	An employee of Manningham Council.
	Peak body	A non-government organisation that consists of individuals or smaller organisations that are united by a shared purpose.
	Quorum	The minimum number of committee members required for a committee meeting to proceed.
	Secretariat	The senior officer appointed to administer the advisory committee, such as the service area Coordinator.
	Strategic	Relating to the goals and objectives contained within documents such as the Council Plan, and how to achieve them.