



Keep Australia Beautiful Council Western Australia

Charter

2019

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Terms Used

Definitions of terms used in the Charter are as follows:

Act: The *Litter Act 1979* (Litter Act).

Council: The Keep Australia Beautiful Council.

Chairman: The person appointed to lead meetings and represent the Keep Australia Beautiful Council.

Deputy Chairman: The person appointed to assist the Chairman in representing the Keep Australia Beautiful Council.

Department: The Department of Water and Environmental Regulation.

Director General: The Chief Executive Officer of the Department of Water and Environmental Regulation

Freedom of Information: The right to apply for access to documents held by Public Sector agencies, including: Government departments; local authorities; statutory authorities and Ministers under the *Western Australian Freedom of Information Act 1992*.

Good Governance for Western Australian Boards and Committees: The Public Sector Commission's guide for best practice for boards and committees.

Information Statement: A requirement of the *Freedom of Information Act 1992*. Agencies are required to publish an Information Statement that contains information about the agency and its Freedom of Information procedures.

KABC Fund: The Keep Australia Beautiful Council (WA) Fund established under section 18 of the Litter Act.

Member: A person who serves on the Keep Australia Beautiful Council.

Minister: The Minister for Environment.

Register: A database of information maintained by the Executive Officer.

Vote: The process for a Council Member to support or not support a motion of the Council. A majority of votes carries a motion.

1. Introduction

The *Litter Act 1979* (Litter Act) establishes the Keep Australia Beautiful Council (the Council) as a statutory body to provide advice and recommendations to the Minister for Environment (the Minister) on matters relating to the Litter Act.

Council Members are appointed by the Minister. Council Members (the Members) are charged with the responsibility for developing, promoting and reviewing a litter prevention strategy and coordinating its implementation towards significant reduction in litter.

Public authorities, such as the Council, are a key part of the public sector and support the delivery of Government policy objectives, outcomes, targets and community service obligations. A chain of accountability exists for the delivery of Government services by the public sector from each organisation to their Minister, from the Minister to Parliament and from Parliament to the community. This accountability mechanism is supported by the State's accountability organisations.

The Council operates within this context and has a commitment to effective governance. This document defines the roles, responsibilities, structure, powers and administrative processes of the Council and the obligations of its Members, both individually and collectively, in providing advice to the Minister.

The Council has been guided by the Public Sector Commission's *Good Governance for Western Australian Public Boards and Committees* reference material in the development of this Charter. The *Principles of Good Governance* inform each section of the Charter.

It is the responsibility of all Council Members to read, acknowledge and understand the information contained within this Charter.

2 Role and Composition

2.1 Statutory Role

The role of the Keep Australia Beautiful Council is to do such acts and things as are conducive to the prevention and control of litter and to provide advice to the Minister on litter prevention in Western Australia. The functions of the Council are specified in the Second Schedule of the Act (see Appendix 1).

2.2 Relationship with Minister

The Council is required to provide advice and recommendations to the Minister on all aspects of the Litter Act. A communications agreement between the Minister and the Council establishes and formalises communication between the Minister and the Council.

2.3 Relationship with the Department of Water and Environmental Regulation

Under the section 16 of the Litter Act the Council in arrangement with the Minister is provided with such services and facilities as are reasonably necessary to enable it to perform its functions.

To further define the way section 16 is put into operation, the Keep Australia Beautiful Council signs an annual Service Level Agreement with the Department. It specifies the services that are provided to the Council by the Department.

2.4 Membership Composition

Keep Australia Beautiful Council Membership is set out in section 9 of the Litter Act, which states that the Council shall consist of 15 Members. However, several of the organisations listed for membership no longer exist.

2.4.1 Membership Appointments

The Minister appoints the Members of the Council. The Minister must ensure a notice calling for expressions of interest in appointment to the Keep Australia Beautiful Council is published in a daily newspaper with state-wide circulation. The Minister may also make a recommendation for the appointment of a person who has not lodged an expression of interest.

2.4.2 Term of Office

Under section 9(4) of the Litter Act, a Member of the Council shall hold office for such period not exceeding 3 years as is specified in the instrument of his appointment and is eligible for re appointment.

Section 9(5) states that the Minister shall cause notice of appointments to the respective offices of members of the Council to be published in the *Gazette*.

A vacancy arises if a member resigns or, according to the Interpretation Act 1984 section 13D, is a bankrupt or a person whose affairs are under insolvency laws; or becomes permanently incapable of performing the duties of his office; or is removed from office by the Minister on the grounds of neglect of duty, misbehaviour or incompetence, the office of that Member becomes vacant and he is not eligible for re appointment.

2.4.3 Chairman and Deputy Chairman

The Minister appoints one of the Members not employed in the Public Service as Chairman and Members elect a Deputy Chairman at their first meeting and thereafter at the first meeting after 30 June each year.

If the Chairman is unable to act because of sickness, absence or other cause, or if there is no Chairman, the Deputy Chairman is to act in the Chairman's place.

2.5 Roles and Responsibilities

2.5.1 Member Contribution

Council Members play an active role and contribute to and share responsibility for the overall function and performance of the Council, as follows:

1. fulfilling the Council's obligations under the Litter Act
2. fulfilling the obligations of the legislative framework and compliance instruments of the Public Sector
3. regularly participating in meetings of the Council, both formal and informal
4. publishing Council governance policies to establish and progress good corporate governance and best practice
5. identifying research outcomes that support decision making
6. making effective and appropriate decisions on matters referred to the Council by the Minister.

2.5.2 Chairman

The Chairman has a key role within the Council of providing leadership and representation. The Chairman will use their experience, skills and leadership abilities to lead the Council and oversee and monitor its governance processes.

2.5.2.1 Leadership

The role of the Chairman is to:

1. chair Council meetings, ensuring that they are effective—that is:
 - meetings are guided by an agenda developed in consultation with Members and the Manager KABC Services
 - agenda items are appropriate and relevant
 - matters are considered and discussed in depth
 - all Members are given the opportunity to contribute to discussion
 - the Council comes to clear decisions and resolutions
 - action items are documented and followed up
 - minutes from the meeting are distributed in a timely manner.
2. ensure that new Members are inducted appropriately
3. provide advice and guidance to Members regarding what is expected of them
4. brief all Members on matters attended to between meetings, including representation of the Council at functions, correspondence with the Minister and the Department and, where possible, provide Members with prior notice of these forthcoming events
5. ensure that decisions of the Council are implemented properly
6. ensure that the Minister is provided with advice and recommendations regarding programs in a timely and appropriate manner
7. ensure that Council Members operate in accordance with the Charter, Code of Conduct, Communications Agreement, Conflict of Interest Policy and any other governing policies
8. ensure that the Council's obligations under the Litter Act and Public Sector legislative framework and compliance instruments are met
9. ensure that appropriate risk management practices are in place
10. ensure that the Annual Report of the Council is prepared and submitted to the Minister in accordance with the required timelines.

2.5.2.2 Representation

The Chairman is to:

1. be the primary point of liaison between the Council and the Minister
2. be the primary point of contact between the Council and the Director General, being kept fully informed of matters which may be of interest to the Council
3. regularly review with the Minister, Director General and such senior executives as the Director General recommends, progress on important initiatives and significant issues
4. undertake appropriate communications with stakeholders as required.

The Chairman is subject to the same responsibilities as all other Members, including in relation to declarations of interests and not being present during any Council deliberations relating to, or voting in respect of, any such matter.

All expenses of the Chairman will be agreed in accordance with Public Sector expenditure guidelines. The Chairman will authorise the expenses of all other Members, subject to any delegation of Council from time to time.

2.5.3 Deputy Chairman

The Deputy Chairman will assist the Chairman and, when nominated to do so, act in the position of Chairman. The Deputy Chairman is subject to the same responsibilities as all other Members, including in relation to the declarations of interests and not being present during any Council deliberations relating to, or voting in respect of, any such matter.

2.5.4 Council Members

Council Members have ultimate responsibility for the overall operations of the Council and the provision of appropriate and timely advice and recommendations to the Minister. The role of a Council Member is to:

1. actively participate in Council meetings by:
 - ensuring they are fully prepared for meetings and have considered matters carefully and thoughtfully
 - actively contributing in discussions
 - being considerate of the opinions and views of other Members
 - contributing towards clear decisions and resolutions
 - carrying out actions items in a timely manner
2. providing support to the Chairman, Deputy Chairman and other Members as required
3. behaving in accordance with the Charter, Code of Conduct, Conflict of Interest Policy and other governing policies
4. participating in an annual process of strategic planning, performance review, risk management, professional development and other administrative and operational mechanisms of the Council
5. ensuring that the Council's obligations under the Litter Act and Public Sector legislative framework and compliance instruments are being met
6. contributing to the Annual Reporting process for the Council in accordance with the required timelines.

2.5.5 Keep Australia Beautiful Council Services

The Manager provides high-level operational management and coordination of advice for the Keep Australia Beautiful Council. The Manager is responsible for the operations of the Keep Australia Beautiful Council Services branch.

KABC Services responsibilities include but are not limited to:

1. providing planning capability for strategy development and implementation

2. providing expertise in financial planning and management
3. providing advice on Public Sector accountability, the legislative framework and compliance instruments
4. developing and regularly reviewing the Council's governance policies and procedures
5. representing the Council within Government and with stakeholders
6. providing high-level media and communications services
7. managing partnerships to ensure good governance and agreed outcomes
8. providing comprehensive executive support
9. drafting documents such as the litter prevention strategy, a business plan and the annual report for the Council in accordance with required timelines.

2.5.6 The Department of Water and Environmental Regulation

The Department provides corporate services, such as human resources management, freedom of information policy implementation, complaints management, record keeping and financial management to the Keep Australia Beautiful Council. KABC Services provides the Council with policy advice and information and oversees program implementation to support the litter prevention strategy as well as administration of the KABC Fund.

2.5.7 Director General, Department of Water and Environmental Regulation

The Director General of the Department of Environment and Conservation reports directly to the Minister for Environment. The Director General:

1. ensures services and facilities are provided to the Council in accordance with the Litter Act
2. ensures appropriate advice is provided to the Council as required
3. provides high-level advice on Public Sector accountability, the legislative framework and compliance instruments

The Council will work with the Director General and will encourage advice, guidance and support from the Director General and the Department. The Chairman will maintain regular contact with the Director General or his representative.

2.5.8 The Minister

The Minister is accountable to Cabinet and Parliament for the performance of the Keep Australia Beautiful Council.

The Minister appoints Members to the Council as well as providing Departmental resources to enable the Council to fulfil its functions.

Ministerial approval is required for a wide range of matters: the litter prevention strategy and funding for Council programs and staff. The Minister is also able to give written directions to the Keep Australia Beautiful Council relating to

general performance or a particular matter. The Minister may request advice from the Council on any matter relating to the Litter Act.

The Minister has a number of additional responsibilities, including tabling Keep Australia Beautiful Council annual reports in Parliament and undertaking reviews of the Litter Act.

2.6 Liability Protection

The KABC invests in a range of insurances through Risk Cover via the Insurance Council of Western Australia. See section 4.9 of the Charter regarding insurance for Council Members.

2.7 Confidentiality

Council Members discuss sensitive matters and will be privy to official information on a regular basis. The Council's Code of Conduct and the Public Sector Code of Ethics state that Members must maintain complete confidentiality of that material and not divulge official information to others. Additionally, section 81 of the Criminal Code sets out provisions for confidentiality of information. If Council Members are uncertain as to the confidentiality of a matter they should seek direction from the Chairman, Director General or Manager KABC Services. In general, all information gained in a Member's official capacity is regarded as confidential. For further information on the obligations of Council Members in regard to confidentiality, Council Members should refer to the Code of Conduct.

3 Council Operations

The First Schedule of the Litter Act sets out the constitution and proceedings of the Council. The procedure for meetings is further outlined in the sections below.

3.1 General Meetings

The Council holds its general meetings on the second Thursday of alternate months, beginning in February of each calendar year. Members may participate via teleconference if unable to attend in person. As well as regular general meetings, the Council will occasionally schedule a business planning day in its annual calendar.

Meeting dates, times and locations will be scheduled in the last quarter and published in the annual planning calendar. Every effort will be made to schedule meetings for a time convenient to all members and attendees. Re-scheduling meetings will be avoided wherever possible but, from time to time, meetings may be re-scheduled if unforeseen circumstances arise.

Rescheduling meetings is at the discretion of the Chairman. The unavailability of a Council Member for a meeting is not necessarily a reason to reschedule a meeting, as it may inconvenience other members.

3.2 Attendance at Meetings

Members are required to attend all meetings unless a leave of absence has been granted. The Chairman will approve a leave of absence for a Council Member, in the first instance by accepting an apology for a meeting.

3.3 Special Meetings

A special meeting may be called by the Chairman or a group of 4 Members from time to time when urgent and special business requires it. A special meeting is normally called to deal with specific business. In such cases, not less than three days' notice of the meeting and the special business to be transacted shall be given to each member of the Council. No business other than specified in that notice, except with the consent of all members present and voting at the meeting, shall be transacted at that meeting.

3.4 Quorums

At any meeting of the Council, more than half the Members must be present to constitute a quorum.

3.5 Voting

Each member of the Council shall have a single equal vote.

3.5.1 Consensus

Wherever possible a consensus approach to the decision making will be taken. Where consensus is not possible, the decisions will be made by a simple majority. Where votes cast on any question are equally divided the question shall be declared to be negated.

Where decisions are not made by consensus, dissenting voters can have their objections noted in the minutes.

No one present at Council meetings other than Council Members may vote, although they may provide advice to assist in the resolution.

The Chairman will ensure that decisions are formally recorded in the minutes. A register of the decisions reached in the meeting will be kept in addition to decisions being recorded in the minutes. An action list will also be kept and that list will record progress towards and completion of actions arising out of the meeting.

3.5.2 Special meeting

The Council is enabled to vote on matters through a special meeting. Where the Chairman believes an urgent matter requires consideration and decision between scheduled meetings, the Chairman or a group of 4 members may request a special meeting.

Clause 11 of the First Schedule provides for the Council to determine its own procedure for the operation of special meetings called under clause 3.

The Executive Officer will prepare and distribute an agenda paper including a specified response deadline, together with any material considered necessary for Members to make an informed the decision.

Decisions should be received by the Executive Officer on or before the specified response deadline. The Executive Officer will collate all responses and inform the Manager KABC Services and Chairman of the outcome and, thereafter, the remaining Council Members.

A decision shall be recorded as a resolution of the Council and recorded on the Decisions Register. Decisions will be placed on the agenda of the next scheduled Council meeting to allow endorsement of the resolution. The minutes will note that the decision was taken via a special meeting.

If a resolution is not reached on a matter, the Chairman may deem it appropriate to put the matter on the agenda for the next scheduled meeting.

3.5.3 Ministerial decisions

The Minister may request a meeting with the Chairman to discuss a matter or matters and be provided with advice or recommendations. The Minister or Chairman may deem it appropriate that the Director General and/or his representative also attend such a meeting.

Reports of such meetings will be placed on the agenda of the next Council meeting and the minutes will note the advice given, as well as recording the date and names of those participating and any resolutions made that impact the Council. Any resolutions made will also be recorded in the Decisions Register.

The Chairman will also ensure that other Council Members are informed of the situation and the resolution as soon as practicable after the meeting with the Minister.

3.6 Council Annual Calendar

An annual planning calendar will be published in the last calendar quarter of the year. This calendar will include general meeting dates, times and locations. This calendar will include but not be limited to key annual tasks outlined below:

3.6.1 Governance Processes and Operational Oversight

The Council's Governance Framework will be reviewed on an as-needs basis or every three years. Governance documents include the Charter, Code of Conduct, Communications Agreement with the Minister and the procedures and operational policies of the Council. The review will also include other operational aspects of the Council, for example administrative and financial

operations. Changes to policies and procedures can happen outside the annual review process as required.

3.6.2 Strategic Planning

The Council will conduct strategic planning and review the Business Plan annually. This may include the use of audits, stakeholder feedback and formal planning sessions.

3.6.3 Risk Management

The Council will review its risk management procedures annually. This will include developing and updating a risk management plan. The Council may seek the assistance of Risk Cover to assist with the development and annual review of the Risk Management Plan.

3.6.4 Council Performance Review

The Council will evaluate its own performance on an annual basis, as recommended by the Public Sector Commission's *Good Governance for Western Australian Boards and Committees* guide. See section 4.4 for further information.

3.6.5 Council Member Performance Development and Review

Individual performance and the performance development requirements of Council Members will be evaluated on an annual basis. This is a recommendation of the Public Sector Commission's *Good Governance for Western Australian Boards and Committees* guide. See section 5.5 for further information.

3.6.6 Financial Oversight

The Council Chairman is responsible for ensuring the Council manages the KABC Fund appropriately. Departmental officers will undertake the day-to-day administration of the KABC fund and produce bi-monthly statements for the Council. All decisions by the Council regarding its operations will be made within the bounds of the Business Plan. If an occasion arises where additional funds are required, this will be discussed with the Minister, who will consider the request.

The KABC Fund is audited annually, with a report provided by the Office of the Auditor General. The Council will report on the KABC Fund in its annual report, as will the Department.

3.7 Conducting a Meeting

The Chairman will ensure that meetings are managed effectively. As such the Chairman will:

- ensure all Members' views and opinions are heard and respected and equal opportunity is given to all Members to express views
- encourage open and professional debate
- retain sufficient control to ensure that the Chairman's authority is recognised
- ensure that discussion remains relevant and clear and that time is managed appropriately
- ensure that decisions of the Council are properly understood and documented
- ensure that the decisions and debate are concluded with a formal resolution and that resolutions are recorded
- ensure that decisions are properly implemented and recommendations and advice are reported to the Minister appropriately.

If the Chairman is not present at the meeting, the Deputy Chairman will chair the meeting.

3.8 Meeting Agenda

All Members have the right to request that items be placed on the agenda. These requests will be considered by the Chairman. The Chairman shall approve the agenda items with the support of the Manager KABC Services, who will prepare the agenda using the agreed format.

The approved agenda shall be distributed to Members by the Executive Officer with the relevant agenda papers.

The agenda shall always contain a Disclosure of Interests section to help identify any real, perceived or potential conflicts of interest experienced by any member in relation to items on the agenda. These should be raised with the Chairman prior to the meeting to determine the appropriate way to manage the conflict. Further information on managing and declaring conflicts of interest is detailed in the Council's Conflict of Interest Policy.

All agenda documents shall be retained as corporate records.

3.9 Agenda Papers

Council agenda papers and their associated documents are coordinated by the Executive Officer. The agenda template may be reviewed when necessary. All agenda papers will be prepared using the agreed format and submitted in the agreed time frame.

If a Council agenda paper relates to a matter in which there is a declared conflict of interest from a particular Member, the Chairman will determine whether the conflict of interest warrants the removal of the paper from the specific Member's package. If the Chairman has the conflict of interest, the Chairman shall defer to the Deputy Chairman for a decision on the matter. Further information on managing and the declaring conflicts of interest is detailed in the Council's Conflict of Interest policy.

Should an urgent matter arise after the agenda has been distributed, the Chairman has the right to amend the agenda or table an urgent agenda paper on the day. No decisions proposed for the paper can be considered unless the Council accepts the tabled item.

All agenda papers shall be retained as corporate records.

3.10 Meeting Minutes

Meeting minutes will be a true and accurate record of the meeting and contain clear and concise notes of the main points of discussion. They will record the decisions and actions arising out of the meeting and any independent advice received or additional information tabled at the meeting. Decisions will also be recorded in a Decisions Register. Actions arising out of the meeting will be recorded in an Action Items Register.

Where decisions are not made by consensus, dissenting voters may wish to have their objections noted in the minutes.

If attendees join the meeting after it has started or leave early this will be noted in the minutes.

All minutes shall be retained as corporate records.

3.11 Registers

The following registers will be maintained by the Executive Officer.

3.11.1 Members Register

A Members Register will include the contact details of all Members, including emergency contact details. This list will be provided to all Council Members, the Minister's Office, the Director General and senior executive staff of the Department.

3.11.2 Decisions Register

A Decisions Register will record Council resolutions. This Register will record key decisions made in Council meetings. A copy will be provided to Council Members regularly and on request.

3.11.3 Action Items Register

An Action Items Register will record action items allocated to Members and officers during Council meetings. The Action Items Register will be updated prior to every Council meeting and will be distributed with the Agenda prior to meetings.

3.11.4 Conflict of Interest Register

The WARR Act makes provision for the disclosure of interests, and Council Members should declare any real or perceived conflicts of interest in writing to the Chairman. These declaration of interest disclosures will be recorded in a Conflict of Interest Register. Members are expected to indicate to the Chairman any actual or potential conflict of interest situation as soon as it arises during the conduct of a meeting, prior to a meeting or in the conduct of their day-to-day business for the Council.

Members should ensure they give formal written notification of standing conflicts of interest.

All Council Members will receive, read and acknowledge the Conflict of Interest Policy adopted by the Keep Australia Beautiful Council prior to commencement of their first term as a Council Member.

All instances where, because of a declared conflict of interest, a Member is unable to contribute to a discussion and absents themselves from the meeting for the duration of that topic and/or is not provided with a copy of an agenda paper, shall be documented in the minutes of the meeting.

The Executive Officer will ensure that the Conflict of Interest Register is up to date. The Chairman and Deputy Chairman will be provided with regular updated versions so that they are able to manage conflicts of interest appropriately. Further information on managing and declaring conflicts of interest is detailed in the Council's Conflict of Interest Policy and Code of Conduct.

3.11.5 Lobbyists Register

The Keep Australia Beautiful Council complies with the Government's Contact with Lobbyists Code, under which has been established a Register of Lobbyists. The Council will only have dealings with lobbyists, in their capacity as lobbyists, who are listed in the Register to ensure that contact between lobbyists and the Council is conducted in accordance with public expectations of transparency, integrity and honesty. **As required under the Code, an updated Register is provided to Council Members with agenda papers on a regular basis.**

3.11.6 Gift Register

Council Members will generally not accept gifts, services, benefits or hospitality that might influence or appear to influence their conduct in representing the

Council or place them under an actual or perceived financial or moral obligation to other organisations or individuals.

In the case of a Council Member receiving hospitality or gifts, the gift should be recorded in the Gift Register. It is the responsibility of Members to promptly declare gifts or hospitality received. The management of hospitality and gifts is detailed in the Council's Code of Conduct and in the Conflict of Interest Policy.

3.12 Provision of Advice and Recommendations to Minister

The Communications Agreement documents the appropriate process for the provision of advice and recommendations to the Minister.

3.13 Record Keeping

The Keep Australia Beautiful Council Services branch will keep files on behalf of the Keep Australia Beautiful Council in the Department's records management system. Copies of all file notes, meeting notes and correspondence must be forwarded to the Executive Officer for placing on the permanent file.

3.14 Freedom of Information

Council Members are subject to and will comply with the *Freedom of Information Act 1992*. The Keep Australia Beautiful Council is included in the Department's Freedom of Information Statement. The Department's Freedom of Information Administrator provides advice and coordinates Freedom of Information Applications.

A Notice of Decision will be provided by the Department to the applicant as soon as possible within the statutory 45 days. Applicants who are dissatisfied may request an internal review within 30 days of receiving the Notice of Decision. If they remain dissatisfied they may request an external review by the Information Commissioner.

Further information regarding Council Members' obligations under Freedom of Information is contained in the Code of Conduct.

4 Council Membership

4.1 Appointment

In accordance with the Litter Act Members of the Council are appointed by the Minister.

4.2 Induction

New Members will undergo a formal induction. This will include meeting the Minister, Director General, General Manager and senior executive staff from the Department. The induction package will include:

- Council Charter, Code of Conduct, Communications Agreement and other associated governance documents
- Memorandum of Understanding and Service Delivery Agreement with the Department
- Keep Australia Beautiful Council publications
- *Litter Act 1979*
- Litter Regulations 1981
- Public Sector Commission's *Good Governance for Public Sector Boards and Committees – Principles of Good Governance*
- Relevant Public Sector legislation and compliance instruments.

4.3 Information Requests

Council Members are entitled to seek information from the Department in order to perform their duties in accordance with their functions as described in the Litter Act. The protocol for information requests is for the Chairman to make the requests through the Manager KABC Services.

4.4 Performance Evaluation of the Council

As recommended in the Public Sector Commission's *Principles of Good Governance for Western Australian Boards and Committees*, the Council will evaluate its own performance on an annual basis. This will be done appropriately by way of mechanisms such as:

- confidential one-on-one conversations with the Chairman
- facilitated discussions on specific governance issues and trends
- discussions with the Minister and Director General and senior departmental staff
- utilising an external evaluator to review performance.

Certain situations may arise outside the annual process where it is appropriate to conduct an internal evaluation, which could include:

- change of Chairman or Deputy Chairman
- change of the Council's role
- breakdown of the decision-making processes
- emergence of a dysfunctional dynamic.

The Chairman is responsible for ensuring that the performance review process takes place and for coordinating performance evaluation as well as considering, implementing and monitoring recommendations. The Chairman

should also encourage regular debate and reflection on Council performance. These discussions should be managed appropriately to ensure they remain constructive and comply with the Council's Code of Conduct.

4.5 Performance Evaluation and Professional Development for Council Members

As well as a performance review of the Council as a whole, Council Members' individual performance and their development requirements should be evaluated. The Public Sector Commission provides tools for evaluating Council Members' performance and establishing professional and performance development requirements. Professional development may include but not be limited to formal training courses, conferences, seminars and lectures. Attendance is at the discretion of the Chairman and subject to budgetary constraints.

Council Members will undertake performance evaluation with the Chairman and participate in an appropriate level of professional development activities as a group and individually.

4.6 Committees

From time to time the Council, with the approval of the Minister, may establish temporary committees to investigate a topic in detail and report back to the Council. The necessity for committees will be determined at formal Council meetings. The Council may request representation from the Department on a committee.

A committee will be provided with clear objectives and will, in turn, provide minutes of meetings and report any advice or recommendations to the Council in writing.

4.7 Remuneration for Council Members

In accordance with the Litter Act, remuneration for the Chairman and allowances and other conditions of office of Council Members are determined by the Governor.

4.8 Council Business Plan

Approved annual expenditure includes an allocation from the WARR Account for service provision, including administration, development of the Litter Prevention Strategy and program implementation. Expenses should not be incurred by Council Members without the written approval of the Chairman. The Chairman will not incur nor claim expenses that fall outside Public Sector expenditure guidelines.

The Keep Australia Beautiful Council is responsible for ensuring that expenditure from the KABC Fund is in accordance with the Business Plan or as approved by the Minister. Departmental officers process and monitor

revenue and expenditure. They provide the Council with a bi-monthly financial review and an annual Cash Flow Statement in accordance with Australian Accounting Standards and Treasurer's Instructions.

4.9 Insurance for Council Members

The KABC invests in a range of insurances through Risk Cover via the Insurance Council of Western Australia. Cover is provided for the following categories:

- Workers' Compensation
- Property & Business Interruption
- General Liability
- Professional Liability
- Personal Accident - Board Members
- Personal Accident – Voluntary Workers
- Personal Accident – Work Experience
- Travel
- Cyber Liability

5 Stewardship, Accountability and Transparency

The Chairman, in conjunction with Council Members, will ensure that appropriate guidelines and policies will be developed and maintained to meet the Council's obligations to ensure stewardship, accountability and transparency. This will include, but is not limited to, the policies and procedures outlined in this document: the Code of Conduct, the Communications Agreement and the Conflict of Interest Policy.

The Council is subject to the *Public Sector Disclosure Act 2003*. Departmental officers are nominated as contacts for Council Members, as outlined in the Keep Australia Beautiful Council Code of Conduct.

The Council is given all the power it needs to access a wide range of advice and information through research, collaboration and consultation with persons and entities in order to perform its functions.

Appendix 1

Objects and Functions of the Keep Australia Beautiful Council

The objects and functions of the Council are as specified in the Second Schedule of the Litter Act:

- (a) To educate members of the public in, and to awaken, stimulate, encourage and maintain the interest of members of the public in, and to promote public knowledge of, the correct disposal of waste items.
- (b) To foster and encourage the appreciation of clean and well-kept cities and countryside.
- (c) To safeguard the character and beauty of the Australian landscape through the prevention of litter.
- (d) To preserve and improve the appearance of our environment in the schools, in factories, shops and offices, in parks, beaches and recreation places and along the roadside by the prevention of litter.
- (e) To make recommendations and submit proposals to the Minister from time to time with respect to regulations to be made under this Act.
- (f) To promote litter prevention through publicity of all kinds, design and distribution of litter receptacles and encouragement of suitable legislation.
- (g) To promote awareness of, and encouragement of, litter recycling.
- (h) To maintain continuous and effective campaigns against the disfigurement of the landscape by litter and to encourage a responsible community attitude to cleanliness in all public places.
- (i) To study available research, and development in the field, regarding litter control, removal, disposal and recycling and to study methods for the implementation of such research and development.
- (j) To cooperate, where considered desirable by the Council with other organizations within the State or elsewhere on questions relating to all forms of pollution and generally to work for a clean healthy environment.
- (k) To serve as the coordinating agency between organizations seeking to aid the anti litter effort.
- (l) To liaise with local governments with a view to ensuring that the provisions of this Act are enforced in the districts of those local governments.
- (m) To cooperate with local governments to accomplish coordination of local anti litter efforts.
- (n) To encourage, organize and coordinate voluntary local anti litter campaigns seeking to focus the attention of the public on programmes to control and remove litter.
- (o) To take appropriate measures to bring the provisions of this Act to the attention of the public.
- (p) To do such other acts and things as are conducive to the prevention and control of litter.

Council Member Acknowledgement

I confirm that I have received, read and do acknowledge this Charter of the Keep Australia Beautiful Council. I have sought explanation from the Chairman or the Manager KABC Services regarding any sections I did not understand.

I agree to abide by the requirements set out in the Charter. I understand that failure to do so may result in disciplinary action or removal from the Council in accordance with the First Schedule of the Litter Act.

_____ Michael Aspinall	_____ Signature	_____ Date
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_____ Genette Keating	_____ Signature	_____ Date
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_____ William Adams	_____ Signature	_____ Date
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_____ Don Burnett	_____ Signature	_____ Date
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_____ Lisa Fanciulli	_____ Signature	_____ Date
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_____ Jason Menzies	_____ Signature	_____ Date
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_____ Christine Parfitt	_____ Signature	_____ Date
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The original signed copy of this page is to be forwarded to the Executive Officer of Keep Australia Beautiful Council Services.