

Shoalhaven Arts Board - Terms of Reference

Policy Number: POL19/45 • **Adopted:** 17/03/2015 • **Amended:** 23/06/2015, 27/06/2017, 20/09/2019 • **Minute Number:** MIN15.147, MIN15.426, MIN17.565, MIN19.654 • **File:** 2123E • **Produced By:** Finance Corporate & Community Services Group • **Review Date:** 1/12/2020

1. STATEMENT

Council recognises the value and place of creative expression, cultural facilities, innovative arts activities and embraces a strategic direction to facilitate progressive cultural development across the City. To guide this development each Board member will be responsible for maintaining and reporting on a specific portfolio.

2. PURPOSE

- a) To contribute to and develop strategy and policy both for the Shoalhaven City Council as well as in alignment with the Region.
- b) To develop and implement policy, planning and vision for the broad arts within existing resources and use a co-opted panel of peers for professional advice. They include:
 - Visual Arts
 - Heritage and Museum Sector
 - Literature
 - Performing Arts
- c) Advocate and maintain specific arts related portfolios.
- d) Advocate and promote Board recommendations.

3. TERMS OF REFERENCE

3.1. RELATIONSHIP TO COUNCIL

The Shoalhaven Arts Board is a Section 355/377 Committee of Council (Local Government Act 1993). It is a strategic advisory committee to advocate for and inform Council's decision making process.

3.2. DELEGATED AUTHORITIES

- Act within adopted budgets aligning with Council's strategic plans and document, and make recommendations on the arts to Council
- Appoint suitable representatives to fill casual vacancies on a set term basis
- Inform and recommend policy for arts related funding programs, and where required by Council, vote on related matters

- Establish a peer panel of professionals, experts and practitioners across art forms, heritage and cultural platforms to be co-opted as needed for input and advice to the Shoalhaven Arts Board
- Establish a Shoalhaven Arts Foundation:
 - To support the development and enrichment of broad arts across the Shoalhaven including visual, heritage, literature & performing arts
 - To ensure that the Foundation in its governance, membership and charter are independent/ and at arms-length from Council yet works in concert with the Shoalhaven Arts Board, Council and the community needs
 - To fundraise and develop a sustainable principal investment to generate ongoing grant funds

Relevant staff will work collaboratively with the Shoalhaven Arts Board to:

- Develop and implement activities to achieve objectives in line with the Shoalhaven Arts Board recommendations, the Council's policies and corporate plan

3.3. MEMBERSHIP

- The membership of the Shoalhaven Arts Board to be twelve (12) members in total and to include:
 - Seven (7) community member representatives from Health & Well-being, Education, Arts Institutions, Artists and Corporate/Business with a range of strategic capabilities, expertise and advice from within the arts;
 - A maximum of three (3) skills based Councillors (one from each of the three (3) wards);
 - One (1) designated Aboriginal Local Member. A nomination for this position will be made by the Aboriginal Advisory Committee when the position comes vacant or the member term expires. The nominee need not be a member of that committee;
 - One (1) representative from the Shoalhaven Tourism Advisory Group (STAG). A nomination for this position will be made by STAG when the position comes vacant or the member term expires.
- Community member representatives of the Board are appointed through an Expression of Interest process with the exclusion of casual vacancies should they arise.

3.4. ELECTION/APPOINTMENT

Industry Representatives

- Appointment to the Board can be for a maximum four (4) years with a set commencement and finish date
- Vacancies will be advertised locally via media, Council communication channels and industry networks
- Applications will be actively sought from appropriately skilled industry representatives,
- Council will manage the application process,
- An interview panel will consist of a Council staff member, the Chairperson of the Board and one (1) suitably qualified independent representative to assess the applications and make recommendations for appointments to the Board and Council.

Councillors

Council will advise Shoalhaven Arts Board of its appointed representatives. Council at its discretion can replace representatives at a time of its choosing.

3.5. CASUAL VACANCIES

Should there be a casual vacancy; the Shoalhaven Arts Board will seek applications by appropriate means to fill these vacancies to align with finish dates.

3.6. TERM OF APPOINTMENT

- Appointments will be for a term of two (2) years
- If representative is terminated or resigns an early substitute will be appointed only until the fixed finish date as a casual vacancy

3.7. SUB COMMITTEES/WORKING GROUPS/PORTFOLIOS

The Board will have the right to establish sub groups as deemed appropriate to assist in fulfilling their role and purpose.

3.8. BOARD MEETING PRACTICE AND PROCEDURES

- The administrative provisions of Council's adopted Code of Meeting Practice shall apply subject to any amendments by the Terms of Reference.
- Formal Board Meetings will be held quarterly in a form and format as determined by Shoalhaven Arts Board
- To hold Arts/museum/culture industry forums for feedback and ideas that might inform the Annual strategic plan will be held
- Agenda and minutes from previous meetings will be circulated to members at least seven (7) days prior to the meeting
- Members must declare in writing any interest in any report tabled at the meeting covered by the Code of Conduct and Pecuniary Interest
- Informal Board meetings, special meetings will be held as and when required or set by the Board
- Planning and costs associated with conducting meetings will be borne by Council and funded from a line item in the Arts & Culture budget.
- The Chairperson will be appointed by the Board, the position will be limited to a two (2) year term and is open to all members of the Board.
- The Quorum will consist of at least half plus one (1) of the members.
- Voting and Recommendations are made by consensus and all decisions must be stated precisely for the inclusion of the minutes
- Where a consensus cannot be reached at two (2) consecutive meetings, then the majority of 60% of those present can adopt a recommendation
- Alternative views are to be minuted
- The Board shall ensure that an agreed written record of each of their meetings is forwarded to Council.

3.9. CODE OF CONDUCT

- All members of the Board are to abide by Council's Code of Conduct.

- Board members should act in a professional and responsible manner with the information they obtain as a member, as the Board requires openness and honesty to function well.
- Board members should feel free to express their opinions and views without fear of recrimination
- It is essential for Board members to accept collective responsibility, remain loyal to decisions of the Board, even where they may not have agreed with the final decision.

3.10. CONFIDENTIALITY AND PRIVACY

Members may have contact with confidential or personal information retained by Council. If so, members are required to maintain the security of any confidential or personal information and not access, use or remove any information, unless the member is authorised to do so.

3.11. COMMUNICATION

- All issues must be clearly communicated including priorities, limitation and benefits to the community
- Members of the Board are not permitted to speak to the media as Committee of Council representatives of the Board unless approved by the Chairperson
- Where approval has been given by the Chairperson, views and opinions expressed are those of the Board and not of Shoalhaven City Council
- Where endorsement is required from Shoalhaven City Council, approval must be sought through the formal processes
- The Chair of the Board is the point of contact for communication between Board members and Council staff.

3.12. PARENT ADVISORY GROUP

Ordinary Council

3.13. STAFF ATTENDANCE

Executive staff are normally required to attend the meetings of the Board. Other staff at the Directors' discretion or at the Board's request can attend meetings as required. Staff have no voting privileges.

3.14. EXPECTATIONS OF BOARD MEMBERS

- Board members will undertake the prescribed Induction process
- Pecuniary Interest Returns are required on appointment and annually as required by the Office of Local Government and Council

3.15. RESPONSIBILITY OF COUNCIL

Council will provide secretarial support to arrange meetings and take minutes and provide professional officer support where required.

Council at its discretion may review and change the Terms of Reference, Role and Structure of the Board.

4. IMPLEMENTATION

The Finance Corporate and Community Services Group of Council is allocated responsibility for the administration of the policy.

5. REVIEW

To be reviewed within one (1) year of the election of a new Council, or earlier at the discretion of Council.