



Road Safety Council Governance Charter

Contents

1. Introduction	4
2. Road Safety	4
3. Road Trauma Trust Account	4
4. Role of the Minister	5
5. Roles and Responsibilities of the Council	5
5.1 Strategic Directions	6
5.2 RTTA	6
5.3 Governance	6
6. Roles and Responsibilities of the Road Safety Commissioner	6
7. Roles and Responsibilities of the Road Safety Commission	7
8. Roles and Responsibilities of the Council Members	7
8.1 Chair	7
8.2 Members	8
8.3 Council Secretariat	8
9. Codes of Responsibility	9
9.1 Code of Conduct	9
9.2 Conflicts of Interest	9
9.3 Confidentiality	10
9.2 Protocols for Communication	10
10. Council Operations	10
11. Council Administration	10
11.1 Performance Evaluation of the Council	10
11.2 Working Groups	10
11.3 Remuneration Expenses	10
11.3.1 Remuneration	10
11.3.2 Travel Arrangements and Expense Reimbursement	10
11.4 Information Requests	11
11.5 Liability Protection	11
11.6 Public Interest Disclosure	11
11.7 Freedom of Information	11
11.8 State Records Office	11
Schedule 1 – Council Operations	12

1. Council Meetings.....	12
1.1 General Meetings.....	12
1.2 Attendance at Meetings	12
1.3 Special Meetings	12
1.4 Quorums	12
1.5 Resolutions.....	12
1.6 Consensus Decision Making.....	12
1.7 Out of Session Decisions	13
1.8 Council Member Absent	13
1.9 Meeting Cycle	14
1.10 Council Annual Activity Calendar	14
1.11 Meeting Agenda and Papers.....	14
1.12 Meeting Minutes.....	15
1.13 Registers.....	15
2. Council Administration.....	15
2.1 Appointment.....	15
2.2 Induction	15
Glossary of Terms.....	16
References	17
Approvals	17

1. Introduction

This Governance Charter (Charter) defines the role, responsibilities, structure and administrative processes of the Road Safety Council (Council) and the obligations of Council Members, both individually and collectively, in providing advice to the Minister for Road Safety (Minister). This Charter also defines the roles and responsibilities of the Road Safety Commissioner (Commissioner) and the Road Safety Commission (Commission).

It is the responsibility of all Council Members appointed to the Council to read, acknowledge and understand the information contained within this Charter and to keep themselves informed of best practice in governance and accountability. This Charter is a tool to assist Members to understand their role and responsibilities, obligations and scope so that they may provide advice to the Minister effectively.

The Council recognises that ‘good governance’ is about operating according to legislative and other government requirements, and current best practice. The Council considers good governance to be essential in making recommendations to the Minister under the Road Trauma Trust Account (RTTA) and undertaking its functions specified in the *Road Safety Council Act 2002* (Act).

It is also intended that this Charter assist internal and external stakeholders, and the broader community, to understand the relationship and interdependencies between the Commissioner, Commission and the Council, underpinned by the Act and other relevant statutory requirements. It also consolidates key corporate government documents. A list of these documents is provided in the References section and, where appropriate, hyperlinks have been provided in the electronic versions.

2. Road Safety

Road trauma has significant and long lasting impacts on the community and costs the state an estimated \$2.4 billion a year. Improving road safety is a priority for governments across Australia and internationally. New directions in road safety are emerging, including improved technology and AI, road infrastructure design, and vehicle safety. Effective leadership and agency collaboration are required to mobilise action for the implementation of effective, evidence-based road safety strategies and programs. The Council shapes and leads the implementation of strategic initiatives to enhance road safety.

3. Road Trauma Trust Account

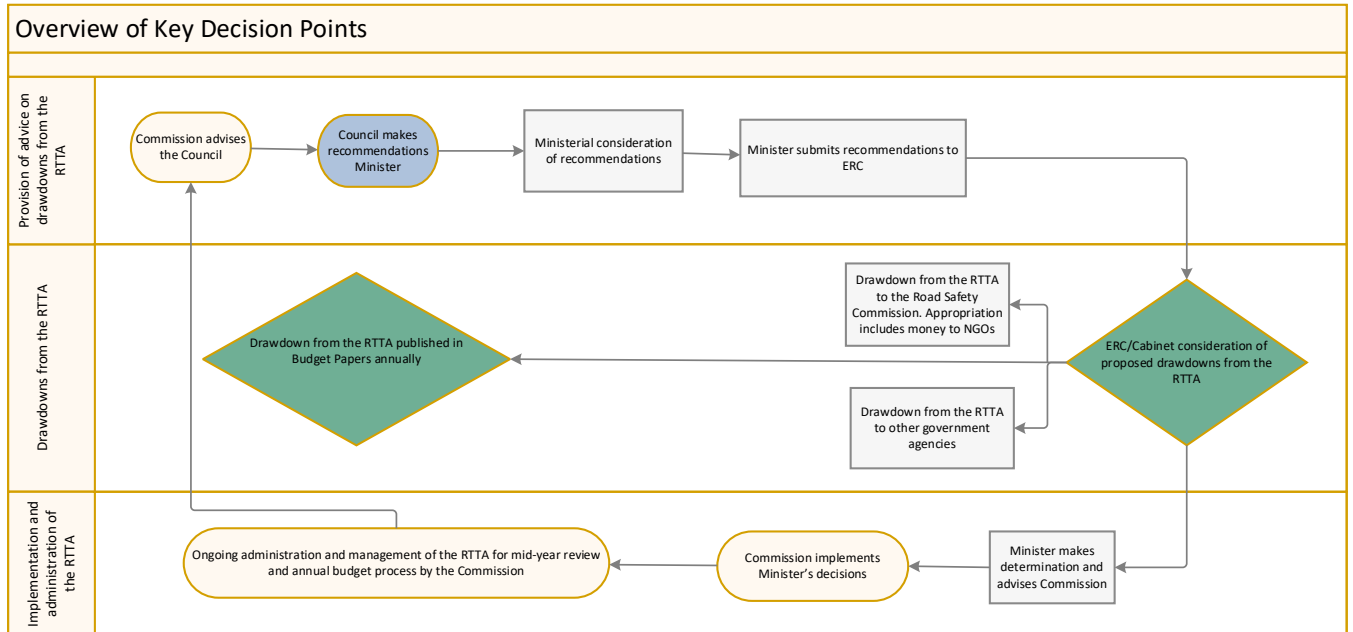
Section 12 of the Act establishes the RTTA. The Government commits money from the RTTA for initiatives to improve the safety of roads in Western Australia, reduce deaths and serious injuries, and damage to property resulting from road crashes.

The Commissioner is responsible for the administration and management of the RTTA under section 12(5), which states that, ‘For the purposes of the *Financial Management Act 2006* and the *Auditor General Act 2006* the Account is to be administered by the department of the Public Service principally assisting the Minister in the administration of this Act’.

Diagram 1 gives an overview of key decisions necessary for the allocation of money from the RTTA. It shows that the Commission’s operations are funded by an annual appropriation from the RTTA. The

appropriation to the Commission includes any money allocated to a non-government agency, such as the WA Local Government Association.

Diagram 1



Further details are documented in the RTTA Administration Framework.

4. Role of the Minister

The Act provides the Minister with certain powers, including the ability to:

- appoint Council Members and the Chair
- determine the remuneration of Council Members who are not public officers
- give directions in writing to the Council consistent with the Act
- 'approve' or 'not approve' recommendations submitted by the Council pertaining to the RTTA in accordance with the Act.

In accordance with its functions under the Act, the Council provides advice and makes recommendations to the Minister with respect to the RTTA. The Minister makes determinations after considering that advice and in the context of any decisions taken by the Expenditure Review Committee (ERC) or Cabinet through government budget processes.

The Minister advises the Commissioner of their decision and the Commission executes the decisions of the Minister as it pertains to the administration of the RTTA.

5. Roles and Responsibilities of the Council

The Act establishes the Council with functions relating to road safety and the reduction of deaths, injuries and property damage resulting from road crashes. The Act provides for the broad functions and membership of the Council at sections 5 and 6 of the Act.

5.1 Strategic Directions

The Council:

- aims to be future-orientated in its advice to the Minister
- steers the overall coordination, implementation and evaluation of the Driving Change Strategy and achievement of approved outcomes consistent with the WA Road Safety Framework
- provides advice to the Minister and relevant bodies on measures to improve road safety in Western Australia.

5.2 RTTA

The Council:

- considers advice from the Commission about revenue projections for the RTTA and the performance (including the extent to which projects have enhanced road safety, findings of evaluations, and financial implications) of funded projects
- considers advice and recommendations from the Commission in relation to funded projects and proposals (including requests for variations, extensions and financial impacts)
- makes recommendations to the Minister for approval, irrespective of whether these are supported by the Commission
- prepares and submits an annual report to the Minister on the activities of the Council, including a summary of funding made under the RTTA, for tabling in Parliament.

5.3 Governance

The Council's responsibilities include:

- responding to the Minister's Letter of Expectation
- maintaining an effective framework to identify, manage and/or address matters associated with independence and conflicts of interest matters of Council Members.

6. Roles and Responsibilities of the Road Safety Commissioner

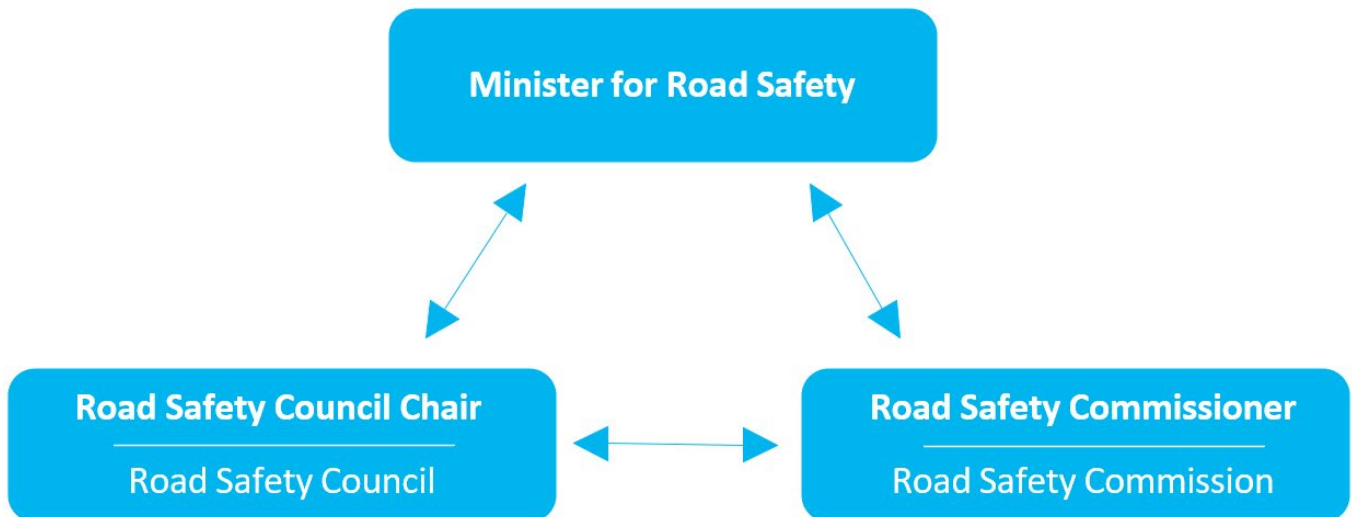
The Commissioner advises the Minister on road safety matters, implementation of the *Driving Change Strategy* and the administration of the RTTA. The Commissioner is appointed under *Public Sector Management Act 1994*, Part 3.

The Commissioner:

- is the primary point of contact between the Council, the Minister and the Commission's senior leadership team
- provides leadership, strategic direction and a focus on results
- plans for and administers the RTTA
- is responsible for administrative and financial performance, productivity, workplace relations, organisational capability, and related matters of the Commission
- establishes and maintains productive relationships with key stakeholders
- ensures that a Secretariat function is provided by the Commission to the Council.

The Commissioner is responsible for the operations of the Commission, consistent with any relevant delegations or administrative policies issued by the Commissioner of Police.

The diagram below shows that both the Council Chair and the Commissioner report to the Minister, consistent with their statutory obligations.



7. Roles and Responsibilities of the Road Safety Commission

As the lead agency for road safety in Western Australia, the Commission is responsible for:

- supporting the Commissioner to advise the Minister on road safety matters, including on strategy, policy, data, current research and evaluation
- leading the development, integration and implementation of state-wide road safety strategies, programs and interventions to reduce crashes
- collecting, collating, monitoring and reporting on road safety data and the effectiveness of interventions
- developing, implementing, evaluating and reviewing the implementation of community education campaigns and media strategies that reach target groups in both regional and metropolitan areas
- evaluating and producing the state's Road Safety Strategy
- implementing road safety programs, projects and initiatives approved by Cabinet
- meeting organisational accountabilities and responsibilities for people, financial resources, workplace relations, performance and related organisational matters
- administering the public's investment in road safety via the effective management of the RTTA
- providing executive and secretariat support to the Council.

8. Roles and Responsibilities of the Council Members

8.1 Chair

The Chair leads and directs the activities of the Council.

The Chair provides a key role in presiding over meetings, ensuring Council is well informed and effective, ensuring Council Members (individually and as a group) have the opportunity to openly discuss differences and generate the collective views necessary for the proper operation of the Council.

Without limiting the role, responsibilities of the Chair include:

- chairing Council meetings, ensuring:
 - meetings are guided by a documented agenda, developed in consultation with Council Members and Secretariat
 - agenda items are appropriate and relevant
 - all Council Members are given the opportunity to contribute to discussion
 - all Council Members actively participate in meetings and discussions
 - the Council comes to clear decisions and resolutions.
- communicating the views, advice and recommendations of Council to the Minister, as the primary point of liaison between the Council and the Minister
- being the primary point of contact between the Council and the Commission
- undertaking appropriate communications with stakeholders as required
- monitoring and where appropriate for the Council Chair to be involved on behalf of the Council, overseeing key stakeholder, media and community relations
- in consultation with the Council secretariat:
 - setting the agenda for matters to be considered by the Council
 - seeking to ensure that Council papers are relevant, accurate, timely and sufficient to keep the Council appropriately informed of any developments that may have an impact on its deliberations.
- ensuring new Council Members are inducted appropriately
- providing advice and guidance to Council Members regarding what is expected of them
- ensuring the Minister is provided with advice and recommendations regarding the RTTA in a timely and appropriate manner
- overseeing the review of this Charter and the Code of Conduct
- ensuring the annual report of the Council is prepared and submitted to the Minister in accordance with the Act.

8.2 Members

The Act specifies the composition of the Council and how Members are nominated and appointed.

The role of a Council Member is to:

- actively participate in Council meetings
- contribute to the development of advice to the Minister and on operations of the RTTA, consistent with section 5 of the Act, as required
- contribute to the annual reporting process for the Council in accordance with the required timelines
- provide support to the Chair and other Council Members as required
- comply with all relevant requirements.

8.3 Council Secretariat

A Council Secretariat located in the Commission provides executive and administrative support to the Chair and Council.

Employment matters for staff within the Secretariat fall under the authority of the Commissioner as the employing authority. However, the day-to-day control of the Secretariat's activities and priorities are directed by the Chair.

The role of the Secretariat is to support the effective operation and good governance of the Council by:

- coordinating arrangements for Council meetings, including creating and distributing the agenda and agenda papers; taking and distributing minutes of meetings and following up actions arising from meetings as required
- coordinating administrative arrangements for the Council, including records management, travel arrangements and meeting appointments
- in conjunction with the Chair, developing and reviewing the Council's governance and related documents, including this Charter and the Code of Conduct
- providing advice to Council Members on public sector accountability, legislative framework and compliance instruments
- updating the Council's web content.

9. Codes of Responsibility

9.1 Code of Conduct

The minimum standards of conduct and integrity to be complied with by all public sector bodies and employees are outlined in the [Public Sector Commission Commissioner's Instruction No. 40](#). This addresses the principles of personal integrity, relationships with others, and accountability.

Council Members are also required to comply with and sign the Council Code of Conduct. The Code of Conduct complies with the *Public Sector Commission Commissioner's Instruction No. 40*. This instruction establishes the requirement for public sector bodies to develop their own code of conduct and to provide integrity training and refresher training on its Code of Conduct to Council Members.

9.2 Conflicts of Interest

Council Members by virtue of their external activities may have relationships with private sector, non- government organisations and other government agencies that may be involved in actual or prospective road safety initiatives. Such circumstances may give rise to an actual or perceived conflict of interest for a Member. While these relationships are important to enhancing road safety more generally, these relationships must be reflected in ethical and transparent decision-making by the Council.

Conflicts of interest will be managed by the Council as follows:

- Members will declare any perceived, actual or potential conflicts of interest relating to the business of the Council at commencement of their appointment, at the start of each meeting when relevant to the agenda, or if interests change.
- A standing item on the Council agenda requires members to declare any new conflict of interest.
- Declarations and the agreed management resolution(s) will be recorded in the Council meeting minutes.
- Agreed resolution(s) will be identified based on the type of conflict identified.
- Where the Chair has a conflict of interest that will prevent them from performing their role, in accordance with s. 11(2) of the Act a person elected by the Council members present is to chair the meeting until the matter relating to the conflict has been discussed and decided upon.
- The secretariat support provided by the Commission will include the registration of all declared conflicts of interest.

Members should not accept gifts, benefits and hospitality. Any decision to accept if required for conducting the business of the Council is done openly, placed on the record, and is consistent with this Charter and the Code of Conduct.

9.3 Confidentiality

On the obligations of Council Members with regard to confidentiality matters, refer to the Code of Conduct.

9.2 Protocols for Communication

The Chair is the official spokesperson for matters that relate to decisions made by Council, or matters which are being considered by the Council. The Chair may delegate this responsibility to another Council Member on a case by case basis.

Council Members are not permitted to make comment to the media about any Council matter unless endorsed by the Chair.

10. Council Operations

Subject to any directions of the Minister, the Council is able to determine its own procedures. Please refer to the Schedule 1 – Council Operations in this document.

11. Council Administration

11.1 Performance Evaluation of the Council

The Council will undertake an annual assessment and review the overall performance of the Council, in line with good governance guides including the Public Sector Commission principles for good governance ([Good Governance for Western Australian boards and committees](#)).

11.2 Working Groups

From time-to-time the Council may establish a temporary working group to investigate a topic in detail and report back to the Council. The Council will determine the membership of any such working group, nominate the chair of the working group, and may invite outside parties to participate.

A working group shall be given clear objectives and shall report back to the Council on a regular basis. Advice or recommendations from the working group will be given in writing.

11.3 Remuneration Expenses

11.3.1 Remuneration

Fees may not be paid to full-time State, Commonwealth and Local Government officers serving on the Council as per the Premier's Circular 2022/02 State Government Boards and Committees, which sets out the eligibility requirements for being paid sitting fees.

11.3.2 Travel Arrangements and Expense Reimbursement

Council Members may be required to travel as part of their role on the Council. Council Members are to adhere to:

- Premier's Circular 2021/02 - Guidelines for official air travel by Ministers, Parliamentary Secretaries and Government Officers

- [Guidelines](#) for Remuneration for Government Boards and Committees on the Public Sector Commission's website.

11.4 Information Requests

To perform their duties in accordance with the functions of the Council, Members are entitled to seek information from the Secretariat within the Commission.

11.5 Liability Protection

The Act protects Council Members from liability for acting in good faith in the performance of the functions of the Act (s 14(1)).

11.6 Public Interest Disclosure

The *Public Interest Disclosure Act 2003* (PID Act) allows people to make disclosures about wrongdoing in public authorities. It aims to ensure openness and accountability in government by encouraging people to make disclosures and protecting them when they do. The PID Act provides a system for the matters disclosed to be investigated.

The Commission's PID Officer acts as the PID Officer for the Council. This contact is available at the [Public Interest Disclosure Officer Contact Directory on wa.gov.au](#).

11.7 Freedom of Information

Council Members are subject to and must comply with the *Freedom of Information Act 1992* (FOI Act). The FOI Act is designed to promote openness and transparency by providing a general right of access to documents held by State and Local Government agencies.

The Commission's FOI Officer acts as the FOI Officer for the Council.

11.8 State Records Office

All documentation produced by the Council forms part of the public record and is subject to the *State Records Act 2000* (the SR Act).

Schedule 1 – Council Operations

The Council is able to determine its own procedures for Council meetings. The procedures for meetings are outlined in the sections below.

1. Council Meetings

1.1 General Meetings

The Council will have quarterly meetings. The dates are set at the commencement of the calendar year and sent to all Council Members.

1.2 Attendance at Meetings

Council Members are required to regularly participate in meetings. The Chair is responsible for approving any leave of absence for Council Members. The Minister will approve any leave of absence for the Chair.

Council Members should make every effort to attend meetings in person. If a Member is unable to attend a meeting in person, they may attend via telephone or video conference if agreed in advance with the Chair.

1.3 Special Meetings

A special meeting may be called by the Chair to address urgent and special business. In such cases, timeframes regarding agendas and agenda papers specified by this Schedule may need to be disregarded.

1.4 Quorums

At any meeting of the Council, seven (7) participating Council Members, either in person, remotely or via a duly appointed Deputy Member, constitutes a quorum.

1.5 Resolutions

Each Member of the Council, including the Chair, shall have a single vote of equal value where a formal resolution is required.

If a formal resolution is desired by any Council Member, then that resolution shall be in writing and the wording circulated to Council Members prior to consideration and voting. If the resolution is raised at the meeting then written documentation is unnecessary.

At Council meetings, resolutions will be made by a majority vote of those Members present, will be minuted and may also be recorded as action items. Council Members may cast their vote in person, in teleconference/videoconference or via email to the Chair via the Secretariat.

1.6 Consensus Decision Making

Wherever possible a consensus approach to decision making will be taken. Where consensus is not possible, decisions will be made by a simple majority. If a simple majority is not possible the Chair may seek additional information/submissions to assist in the decision. This may necessitate the decision being deferred to an out of session decision, special meeting or the next scheduled meeting.

Where decisions are not made by consensus, dissenting voters may request that their objections are noted in the minutes.

Only Council Members, including an approved Deputy Member, may vote at Council meetings. Attendees may be asked to provide information to assist the decision-making process.

The Chair will ensure that all Council resolutions are formally recorded in the minutes of the specific meeting. An action list will be maintained as a running Council meeting agenda item and that action list will record progress, completion of, and any other actions arising out of the meeting.

1.7 Out of Session Decisions

Any urgent decision that cannot wait until the next Council meeting may be dealt with by a written resolution.

Out of session papers may be circulated via email and return comment and/or approval must be received by the Secretariat on or before the specified response deadline. As a general rule, a minimum of five working days will be provided for comment, unless the Chair specifies otherwise. The Secretariat will collate all responses and inform the Chair. The Chair advises Council Members of the outcome.

The rules of voting above will apply to out of session items.

Council Members are entitled to seek further information, request a special meeting, or make a recommendation to defer consideration until the next scheduled meeting. The Chair shall consider such a request, but is not necessarily required to act on it.

The out of session matter will be noted and minuted at the following Council Meeting.

1.8 Council Member Absent

If a Council Member (other than the Chair) is absent for a single meeting because of sickness, absence or other cause, a Deputy Member pursuant to section 7 of the Act can act temporarily in their place. If this is not arranged, an absentee vote can be submitted prior to the meeting for matters on the agenda. Absentee resolutions should be submitted in writing to the Chair or the Secretariat at least two days prior to the meeting.

1.9 Meeting Cycle

To assist in the smooth running of meeting processes, the Council has adopted an indicative meeting cycle as shown in the table below.

Item	General Meeting (Business days prior to meeting)
Call for agenda items by the Secretariat	40
Chair settled agenda	30
All agenda papers to be provided to the Secretariat by close of business	15
Agenda papers are received by the Council Members (either electronically or couriered)	10
Late papers are provided to the Council Members electronically in advance of the meeting where possible	2
If an approved late item must be tabled at a Council Meeting it will be provided in hard copy at the meeting (refer to note below)	0
Draft minutes and actions sent to Council Members for review	5
Formal acceptance of minutes	Next meeting

Late submissions to the agenda will only be tabled at the discretion of the Chair. Only urgent matters are considered appropriate under this provision. If the meeting agenda is already full, an urgent late matter may be more appropriately addressed by either an out of session meeting, a special meeting or the next scheduled meeting of the Council.

1.10 Council Annual Activity Calendar

The Secretariat will develop an activity calendar annually. This calendar will include general meeting dates and other key milestones such as annual reporting and budget process timelines.

1.11 Meeting Agenda and Papers

Council Members may request items be placed on the Council agenda. The Chair in consultation with the proposing Member will consider these requests.

The agenda must contain an 'integrity items' section under which a Council Member must declare any real, perceived or potential direct and/or indirect conflicts of interest they have in relation to any item/s on the agenda. These should be raised with the Chair prior to the meeting to determine the appropriate way to manage the conflict.

Council agenda papers and their associated documents are coordinated by the Secretariat. They will be distributed along with the approved agenda by the Secretariat and will include the following forms:

- Conflicts of Interest list

- any record of contact with lobbyists
- any Gifts, Benefits and Hospitality declaration.

Should an urgent matter arise after the agenda has been distributed, the Chair has the right to amend the agenda or table an urgent agenda paper on the day.

The agenda will have an '*other Business*' item, and items not on the agenda can be raised at the meeting under Other Business, with the permission of the Chair. If time does not permit, the item may be discussed out of session or at a special meeting, or deferred until the next Council meeting. All agenda documents shall be retained as corporate records in accordance with the SR Act.

1.12 Meeting Minutes

Meeting minutes should be a true and accurate record of the meeting and contain clear and concise notes of the main points of discussion. They should record:

- decisions and actions arising from the meeting
- declarations of interest
- any independent advice received or substantive additional information tabled at the meeting.

Actions arising out of the meeting should be recorded in the 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, are absent during any part of the meeting, or leave early, this should be noted in the minutes.

All minutes shall be retained as corporate records.

1.13 Registers

The following registers will be maintained and regularly updated by the Secretariat:

- Council Member Register
- Action Item Register (incorporating completed and current action items)
- Council Members Private Interests and Associations Register
- Conflicts of Interest Register (as declared at a meeting in relation to an agenda item)
- Contact with Lobbyists Register
- Gifts, Benefits and Hospitality Register

2. Council Administration

2.1 Appointment

Council Members are appointed under the Act by the Minister. A letter of appointment from the Minister outlines at a high level the roles and responsibilities of the Council. This letter is prepared by the Minister's Office and the Secretariat.

2.2 Induction

New Council Members will undergo a formal induction process. This may include meeting with the Minister, Commissioner, senior executive staff from the Commission, and briefings by the Chair and Secretariat.

An induction package will also be provided and will include a copy and/or web link reference to:

- the Act
- this Charter, Code of Conduct, and other associated governance documents
- Public Sector Commission’s guidance in relation to good governance for Western Australian boards and committees
- RTTA documents
- copies of previous annual reports.


Glossary of Terms

Term	Description
Act	<i>Road Safety Council Act 2002</i>
Annual Report	Information about the activities of the Council during the financial year and other information required by the Minister in accordance with section 13 of the Act
Chair	A member of the Council appointed by the Minister to lead meetings, and represent the Council, in accordance with sections 6 and 11 of the Act
Charter	Council’s Charter as set out in this document
Code of Conduct	Council Code of Conduct
Road Safety Commission	The Road Safety Commission is the entity principally assisting the Minister in administration of the Act
Road Safety Commissioner	Road Safety Commissioner
FOI Act	<i>Freedom of Information Act 1992 (WA)</i>
Member	A person who serves on the Council, appointed under the Act
Minister	The Minister responsible for the administration of the Act, currently the Minister for Road Safety
PID Act	<i>Public Interest Disclosure Act 2003 (WA)</i>
Register	Information maintained by the Secretariat as provided in this Charter and as amended from time to time.
Secretariat	One or more persons charged with the responsibility of providing administrative, executive and policy support, to ensure the effective operation and good governance of the Council
Road Safety Council	Road Safety Council

References

Title	Reference
Commissioner's Instruction No. 40 – Ethical Foundations	https://www.wa.gov.au/government/publications/commissioners-instruction-40-ethical-foundations
<i>Freedom of Information Act 1992</i>	Western Australian Legislation webpage
Good governance for Western Australian boards and committees	Public Sector Commission - Governance for Government Boards and Committees webpage
<i>Public Interest Disclosure Act 2003</i>	Western Australian Legislation webpage
Public Interest Disclosure Officer Contact Directory	Public Sector Commission - public interest disclosure webpage
Premier's Circular 2023/02 State Government Boards and Committees	Premier's Circulares webpage
Premier's Circular 2021/02 Guidelines for official air travel by Ministers, Parliamentary Secretaries and Government Officers	Premier's Circulares webpage
Guidelines for Remuneration for Government Boards and Committees	Public Sector Commission – Remuneration for Government Boards and Committees webpage
<i>State Records Act 2000</i>	Western Australian Legislation webpage
Code of Conduct	Road Safety Council webpage

Approvals

Version No.	Role	Name	Signature	Approval Date	Next Review Date
1.0	Council Chair	Katie Hodson-Thomas		June 2024	June 2024