



Government of **Western Australia**
Department of **Communities**

Charter

Ministerial Advisory Council on Disability

December 2023

Version # 1.0



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Document Control

Publication date	
Review date	
Owner	Executive Director, Office of Disability
Custodian	Office of Disability, Manager Governance & Operations

Amendments

Version	Date	Author	Description
0.1	December 2023	BCEO	First draft in line with the DSC Board Charter
	Month / Year	[position title – not name]	
	Month Year	[position title – not name]	

1. Definitions

“**Act**” means the Disability Services Act 1993

“**Council**” means the Ministerial Advisory Council on Disability

“**Chairperson**” means the Chairperson of the Ministerial Advisory Council on Disability

“**Chief Executive Officer**” means the highest senior executive officer of the Disability Services Commission

“**Communities**” means the Department of Communities

“**member**” means a member of the Ministerial Advisory Council on Disability

“**Minister or Minister for Disability Services**” means the Minister to whom administration of the Disability Services Act 1993 is committed

“**Secretariat**” means the public officers employed by the Department of Communities who support the administration of the Ministerial Advisory Council on Disability

2. Background

The Ministerial Advisory Council on Disability (the Council) is established under the *Disability Services Act 1993* (the Act) s22 and Schedule 5. The Council is the main advisory body providing advice on all matters pertaining to disability to the Western Australian Minister for Disability Services.

The Council comprises not more than 14 members appointed by the Minister for Disability Services from people nominated through an advertised recruitment process (section 22). Since 2022, the Minister for Disability Services has chosen to appoint nine members to Council to collaborate with members of the Disability Services Commission Board with providing advice.

Division 4 of the Act defines the relationship between the Disability Services Commission and the Minister for Disability Services. This includes the ability for the Minister to give directions to the Commission with respect to the performance of its functions and to require the Commission to implement government wide policies and the requirement to consult with the Minister on major initiatives.

The Minister for Disability Services provides a *Statement of Expectation* for the strategic direction of the Council, and the Council responds with its *Statement of Intent* which serves as a commitment to the Minister’s expectations. These documents will remain in place until a change of government or Minister, or until a two-yearly review or other occurrence that deems a review of these documents necessary.

Members are responsible for familiarising themselves with the requirements of the Council, and their own requirements as a member. The Public Sector Commission has resources to guide and support members. (Part 6 – References and Related Documents)

The Public Sector Commission website under the link to *Boards and Committees* contains guiding information for government boards and committees.

2.1 Scope

This charter outlines the obligations and responsibilities of the Council in accordance with the Act and acknowledges that A Western Australia **for Everyone: State Disability Strategy 2020 – 2030** (the Strategy) is the principle guiding document of the Council's work and focus.

The Council is responsible to oversee and drive the promotion of the Strategy and Actions to achieve significant change in the disability community for all Western Australians.

The Council is also involved in the Western Australian Disability Advisory Council with members of the Disability Services Commission Board.

2.2 Members' roles and responsibilities

The strategic leadership provided by the Council should place emphasis on improving the life quality of all Western Australians with disability, their families and Carers.

The Council will work to achieve this vision by:

- Ensuring the strong and central involvement of people with disability, their families and carers, in advising on strategic developments.
- Providing strong leadership to champion the rights of people with disability, their families and carers.
- Actively engaging communities, disability sector organisations, the private sector, and all levels of government.
- Ensuring all advice is guided by contemporary thinking, evidence-based research, considerate of the Carers perspective and aligned with the Strategy when possible.

Members are appointed to the Council to ensure the Council has expertise, knowledge and lived experience that covers the entire spectrum of disability, for people who live in the metropolitan area and those who live in regional and remote areas.

Members (apart from the Chairperson) may serve two consecutive terms of appointment up to a maximum of four years. Where members (apart from the Chairperson) have served consecutive terms of appointment totalling four years they cannot be re-appointed to the Council unless two years have elapsed since their last term ended. The Chairperson may serve three consecutive terms of appointment.

The Minister appoints one of the members to be the Chairperson and the members elect another of the members to be the deputy Chairperson.

The roles and responsibilities of members are determined by the Act and other related legislation (see Part 6 below References and Related documents), this Charter and the Code of Conduct and these documents should be read in conjunction with each other.

All members are:

- required to participate fully in discussions and respond to out of session requests, perform their duties in good faith and in the best interests of the Minister.

- individually and collectively responsible to ensure the Council is undertaking its responsibilities.
- to comply with the Code of Conduct
- expected to exemplify a values-based approach when expressing their views even when they may dissent from other members.
- be mindful of diversity and inclusion in all discussions, decisions and recommendations

The Chairperson provides leadership and insight to ensure delivery of the Council's purpose through engagement with all members.

3. Processes

Chairperson and Executive Director meetings

The Executive Director, Office of Disability and the Chairperson meet in advance of each meeting to discuss topics and the order of the agenda.

Council meetings

Ordinary Council meetings will be held every second month, with the first meeting for each year being in February. The Council no longer meets as a sole entity; it always meets with the members of the Disability Services Commission Board under the name of the Western Australian Disability Advisory Council. Both groups collaborate to provide advice on matters pertaining to all aspects of disability to the Minister for Disability Services.

Where there are matters of urgent and critical importance that cannot be dealt with out of session, a Special Meeting may be called with three days' notice.

Meeting papers distribution

Meeting papers will be distributed via email one week prior to the meeting. The papers will also be added to the Microsoft Teams online storage facility.

Urgent and unavoidably late papers will be circulated no later than 10 am three days before the meeting.

Meetings

At every meeting, members will:

- Identify strategic risks and oversight their mitigation.
- Acknowledge and record any conflicts of interests (actual, potential or perceived) in accordance with the Code of Conduct.

Meetings open with an Acknowledgement of Country or, if the Chairperson is Aboriginal, a Welcome to Country or Acknowledgment of Country (as appropriate).

Members should attend meetings in person where possible. If a member is unable to attend in person, a link to attend the meeting online should be arranged with the secretariat.

Where a member is unable to attend a meeting, they should notify the Chairperson as soon as possible prior to a meeting.

The Council must keep minutes of its meetings. The minutes of the previous meeting will be presented for Council consideration at the next meeting.

Meeting Quorum(s)

To constitute a meeting, of the 17 members of the WA Disability Advisory Council (Council plus Board), nine members must be present for the whole of the meeting, either in person or virtually.

Out-of-session approvals

Where decisions are needed between meetings to progress correspondence or a briefing note, out of session Council approval may be sought with the approval of the Chairperson or following a decision of the Council at a previous meeting. This will be done by the secretariat circulating the paper and calling for members' endorsements. Members will be required to approve or not approve the correspondence or briefing note.

A recommendation will be considered approved where not less than nine WADAC members approve the recommendation in writing.

The decision will be Minuted in the next Board meeting's Minutes.

New member induction

All new members will receive a comprehensive information pack and induction session prior to their commencement on the Council.

Remuneration

Schedule 5 clause 4 of the Act provides that members of the Council are entitled to be paid such remuneration and allowances as determined by the Minister from time to time, on the recommendation of the Public Sector Commission.

Leave of Absence

The Chairperson may, by written notice to a member, grant the member leave to be absent for no more than two consecutive meetings.

In the case of the Chairperson, the Minister may, by written notice, grant the Chairperson leave to be absent for no more than two consecutive meetings.

Review of this Charter

The Office of Disability will review this Charter annually.

4. References and related documents

- [Disability Services Act 1993](#)
- [State Records Act 2000](#)
- [Good governance for public sector agencies](#): lists 9 principles and related legislation
- [Good governance guide for public sector agencies checklist](#)

- [Governance Manual for WA Government Boards and Committees](#)
- Ministerial Advisory Council on Disability – Code of Conduct
- Western Australian Disability Advisory Council Terms of Reference
- [Public Interest Disclosure Act 2003](#)