

Snobs Creek Fish Production and Stocking Advisory Board

Terms of Reference and Operating Procedure (October 2020)

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Overview

1. Definitions

- 1.1 "Department" means the Department of Transport (DoT)
- **1.2** "Guidelines" refers to the Appointment and Remuneration Guidelines 1 July 2020 which can be found: https://www.vic.gov.au/guidelines-appointment-remuneration
- 1.3 "Advisory Board" means the Snobs Creek Fish Production and Stocking Advisory Board.
- **1.4** "Member" means a person appointed to the Advisory Board by the Minister or Ex Officio Member each holding one of three substantive positions within the VFA and named in this Terms of Reference in one of these so named substantive positions.
- 1.5 "Minister" means the Minister for Fishing and Boating.
- 1.6 "Secretariat" mean officers in the VFA providing administrative support to the Advisory Board.
- 1.7 "TOR" means the Terms of Reference for the Snobs Creek Fish Production and Stocking Advisory Board.
- 1.8 "VFA" means the Victorian Fisheries Authority.
- 1.9 "Snobs Creek Hatchery" means the VFA fish hatchery facility located at 455 Goulburn Valley Hwy Eildon 3713

2. Terms of Reference

2.1 Introduction:

The aim of this document is to provide a transparent governance framework that gives clear direction to members of the Snobs Creek Fish Production and Stocking Advisory Board (the Advisory Board).

In particular, this document outlines responsibilities and general governance arrangements for the Advisory Board such as:

- (a) The role of the Advisory Board.
- (b) The role of the Chairperson.
- (c) The role of the VFA.
- (d) Appointments.
- (e) Induction and training.
- (f) Conduct of board meetings.
- (g) Communication.
- (h) Standards.
- (i) Risk management and liability.
- (j) Reporting and evaluation.

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The Victorian Government has been implementing improved consultation arrangements to assist the future management of the community's fisheries resources, with a strong focus on providing a broader range of opportunities for engagement and greater transparency and accountability in decision making for all parties.

The VFA Snobs Creek Hatchery has produced and grown fish for recreational fisheries and conservation stockings for more than 70 years. The hatchery produces and grows salmonid and native fish, and is responsible for their stocking. There are separate processes in place to determine fish stocking allocations.

With the exception of the period 1995 to 2005 the hatchery has been run by the Victorian Government. Like all fish hatcheries, production levels can be affected by a range of environmental factors which are often beyond the direct control of management, resulting in peaks and troughs in production. Despite this the overall performance of the hatchery has been steadily improving and the fish produced are highly regarded by anglers. The general perception is that the hatchery provides an essential service, and makes an important contribution to freshwater fisheries management.

The annual investment of recreational fishing licence revenue into hatchery operations has steadily increased over time and is now in excess of \$900,000 per annum.

As a consequence of the Victorian Government's commitment to improved consultation and the level of investment from licence funds, the Victorian Government agreed to establish an Advisory Board for the Snobs Creek Hatchery.

The establishment of an advisory board was supported by Fisheries Victoria (now the Victorian Fisheries Authority) and key stakeholders, including the Recreational Fishing Grants Working Group. The move recognises the significant financial contribution being made by anglers through recreational fishing licence revenue to the hatchery's operations, and the potential contribution stakeholder input and advice can make to the hatchery's effectiveness and efficiency. The infrastructure and responsibilities for staff are the responsibility of the Victorian Fisheries Authority.

This document will be updated as required, taking account of changes to policies and practices within the VFA. Where conflict exists between this document and current high level Department or Government policy and practice, the latter policies or practices will generally prevail.

2.2 Responsibilities:

The role of the Advisory Board is to provide advice to the CEO of the Victorian Fisheries Authority on the operations of the Snobs Creek Hatchery, taking account of the Advisory Board's Terms of Reference, any strategic plans, government policies, existing commitments, and any direction from the Victorian Fisheries Authority.

The Advisory Board's role is to identify and assess strategic opportunities to monitor and improve the effectiveness and efficiency of fish production and stocking operations into the future. The Advisory board also have a clear focus on identifying funding opportunities, including assisting with the development of business cases for funding from a variety of sources including Recreational Fishing Licence (RFL) grant bids.

The Advisory Board is primarily a strategic and oversight body, and does not get involved in day to day operational matters of the Snobs Creek Hatchery.

2.3 The Advisory Board's role includes responsibility for:

- (a) Overseeing the implementation and periodic review of a strategic plan for the hatchery. The strategic plan is a living document that can be amended as required.
- (b) Monitoring strategic plan outputs, outcomes, performance and efficiency against agreed milestones and performance indicators at each Advisory Board meeting.

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- (c) Advising on the preparation of proposals and bids for capital investment.
- (d) Providing strategic advice on the fish production and stocking program.
- (e) Monitoring of hatchery risk management. Whilst risk management is a core responsibility of the Victorian Fisheries Authority, the Advisory Board can consider and advise on relevant risk management plans and actions to mitigate those risks. Risk in this context includes both operational risks, and fish production and stocking risks. Risk management is conducted in accordance with VFA Risk Management – Policies and Guidelines.
- (f) Endorse and facilitate communication with stakeholders. An important role for the Advisory Board is to ensure effective communication strategies are in place to ensure transparency around the hatchery and its production and stocking activities. Members are required to observe confidentiality provisions.
- (g) Endorse and provide strategic input into the VFA Snobs Creek annual report released by the CEO, Victorian Fisheries Authority. The annual report is to be structured in line with the strategic plan and report against key performance indicators and milestones.

2.4 Victorian Fisheries Authority's Recreational Fishing team are responsible for:

- (a) Preparation and periodic review of the hatchery strategic plan, and the Snobs Creek annual report, in partnership with the Advisory Board.
- (b) Identification and management of operational and production risks, in consultation with the Advisory Board.
- (c) Managing the provision of executive support for the Advisory Board, including providing meeting papers in a timely fashion.
- (d) Providing policy and technical support to the Advisory Board.
- (e) Providing a timely response to any advice from the Advisory Board.
- (f) Providing information to recreational fishers about the Advisory Board and its operations.
- (g) Formulating funding proposals for hatchery capital bids and enhanced operations.

2.5 The Advisory Board is non-statutory. It is not a decision-making body and is not authorised to expend funds.

The VFA undertakes all functions with respect to entering into contracts or agreements, employing staff or consultants, and expending funds.

The Advisory Board's operations are subject to the general control and direction of the CEO, Victorian Fisheries Authority in all matters other than in respect of any advice or recommendations the Advisory Board provides.

The Advisory Board is to provide its recommendations to the CEO, Victorian Fisheries Authority.

The CEO, Victorian Fisheries Authority is to respond to the Advisory Board in respect of all recommendations made.

Where it is necessary to clarify any matter concerning the operations of the Advisory Board, the CEO, Victorian Fisheries Authority may issue a Statement of Expectations to the Chairperson.

3. Scope

The scope of the Advisory Board will include all fish production and fish stocking-related issues and opportunities impacting recreational fishing in Victoria. At the discretion of the CEO, Victorian Fisheries Authority the Advisory Board may be asked to provide advice relating to the planning and operation of additional fish State owned fish hatchery's in Victoria.

4. Advisory function of the Advisory Board

The Advisory Board is an advisory body, not a decision-making body.

Advisory Board membership

5. Appointment

5.1 Members

The Advisory Board membership comprises **four** external stakeholders who collectively can provide a range of knowledge, experience and views, appointed by the Minister; and **three** Ex Officio members as described in Clause 5.5.

5.2 Specific selection criteria (members to have extensive and demonstrated experience in at least one criterion)

- (a) Practical knowledge, skills and experience in one or more of Victoria's inland recreational fisheries, or hatchery operations.
- (b) Demonstrated capacity, experience and willingness to undertake two-way communication with a broad range of recreational fishing stakeholders.
- (c) Understanding of general management practices, such as business planning, risk management, financial accountability, public reporting and ethics.
- (d) A working understanding of Victoria's fisheries legislation.

5.3 Selection criteria of Members

- (a) Members will be invited based on their suitability against the selection criteria, and probity and reference checks. Probity checks are required for all appointments and reappointments. Consideration will be given to new Ex Officio Members undertaking probity checks as recommended best practice governance protocols.
- (b) Potential nominations may be sought from the Victorian Women's Register in the Office for Women.
- (c) The selection process will comply with the Victorian Government's commitment to ensure gender equity on all paid government boards.
- (d) The selection process for the Advisory Board will seek a diversity of applicants, including women, young people, indigenous persons, people with a disability, and people from culturally and linguistically diverse backgrounds. In particular emphasis will be placed on encouraging the emerging leaders in the fisheries sector to apply.

5.4 Chairperson

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The Chairperson will be elected to the position from amongst the Advisory Board members. The period will be determined by the Advisory Board and cannot exceed their appointment as member. This election of the Chairperson is to be noted in the Minutes of the meeting (inclusive of starting and ending dates).

The Chairperson is to be a person who has a good working knowledge of, and expertise in, freshwater recreational fishing and related matters, as well as governance processes relevant to public sector advisory bodies.

The Chairperson's is responsible for:

- (a) Ensuring the Advisory Board operates in accordance with its terms of reference and strategic plan.
- (b) Bringing focus to the proceedings of Advisory Board meetings.
- (c) Facilitating the achievement of informed and agreed positions.
- (d) Approving the participation of invited experts, VFA staff or other observers invited to address or take part in any meeting.
- (e) Reporting regularly, or when requested by the CEO, Victorian Fisheries Authority, on the operation of the Advisory Board and/or the results of its deliberations.
- (f) Ensuring the Advisory Board provides timely and high quality advice.

The Chairperson is the spokesperson for the Advisory Board in reporting to the CEO, Victorian Fisheries Authority and may represent the Advisory Board at public functions or elsewhere when requested by the VFA.

Subject to confidentiality requirements, the Chairperson or Director Recreational Programs are the only members who are to be authorised to make public statements to the media about the deliberations of the Advisory Board, after consultation with and approval from the VFA. Refer 11 Media Enquiries.

5.5 Ex Officio Representatives

There will be **three** Ex Officio Members with experience in fisheries management and fish production and who each occupy one of the following three positions within the VFA:

- (a) Program Manager Snobs Creek;
- (b) Manager Freshwater Fisheries; and
- (c) Director Recreational Programs.

This will mean that persons occupying one these positions as their substantive position or formally acting in the position will automatically be an Ex Officio Member on the Advisory Board without the need for formal appointment. An Ex Officio Member automatically becomes a member upon commencing employment in these positions and automatically ceases to be an Ex Officio Member upon vacating their position.

Advice is to be provided to the Department on any change to persons occupying those positions within the VFA and which is to be noted in the Minutes of the meeting.

5.6 Term of Appointment

Members (except Ex Officio Members) are appointed by the Minister for a term of office up to three years. Reappointment for a subsequent term is at the discretion of the Minister.

5.7 Resignation of Chairperson or Member

The Chairperson or a member may resign at any time (excluding Ex Officio Members). Notice is not required and resignation is effective immediately upon notification unless otherwise agreed by the Minister.

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5.8 Termination of Appointments

A member's (excluding Ex Officio Members) appointment may, after consultation with the Chairperson, be terminated by the Minister for any conduct (whether related to the business of the Advisory Board or not) including:

- (a) Conduct hat is contrary to the VFA's published Values and Behaviours or with the potential to bring the Advisory Board, Victorian Fisheries Authority, or the Government of Victoria into disrepute.
- (b) Conduct that impacts on the ability of the Advisory Board to fulfil its functions.
- (c) Failing to disclose a potential conflict of interest.
- (d) Failing to attend 3 consecutive meetings without a valid reason accepted by the Chairperson.
- (e) Where in the opinion of the Chairperson, a person's conduct is repeatedly disruptive to normal meeting procedures.

The Chairperson's appointment may be terminated at any time by the Minister for any of the reasons outlined in Section 5.8.

The Minister may abolish the committee at any time.

5.9 Vacancies

The office of the Chairperson or an Advisory Board member (excluding Ex Officio Members) becomes vacant if:

- (a) The person resigns under Section 5.7.
- (b) The person's appointment is terminated under Section 5.8.
- (c) The person dies or in the opinion of the CEO, Victorian Fisheries Authority, becomes incapable of performing his/her duties.
- (d) The person becomes bankrupt or a person becomes disqualified from acting as a director or acting in the management of a company.
- (e) The person fails to attend 75 per cent of all meetings held over any 12 month period (without a valid reason accepted by the Chairperson before a meeting).

Upon a vacancy occurring, that vacancy may be filled for a period no longer than the remainder of the person's term with a suitable replacement appointed by the Minister having regard to the selection criteria in Section 5.2.

5.10 Remuneration and Expenses

The Chairperson and members (excluding Ex Officio Members) may be eligible to receive appropriate sitting fees within the range paid for a Group C Organisation 3 (b) as described in the Guidelines. The rate of remuneration will be fixed by the Minister in the Instrument of Appointment.

In addition, all members are eligible for reimbursement of reasonable out of pocket expenses such as travelling, accommodation, meals and other incidental expenses associated with attendance at meetings, overnight absence from home or absence from the normal work location in the course of field duties. Such reimbursement will be in accordance with Department of Premier and Cabinet Appointment and Remuneration Guidelines Clause 7. Expenses will be paid in accordance with rates that apply to VFA employees for the provision of allowances for travelling and personal expenses.

Operations

6. Meetings

6.1 Attendance at Meetings

Members are expected to attend all meetings of the Advisory Board.

Any member who is unable to attend a meeting is to notify the Chairperson as soon as practical, or in the case of the Chairperson to notify the CEO, Victorian Fisheries Authority.

In the event that the Chairperson is absent the members will elect a member from those attending to preside as Chairperson at that meeting.

6.2 Advisory Board meetings are not open to the public.

6.3 Meeting Frequency and Agenda

The Advisory Board will normally meet on four occasions each year. Meeting dates are set in advance and will be aligned with key dates in the production calendar, and key milestone reporting dates under the strategic plan. Extraordinary meetings may be called by the Chairperson in special circumstances.

Meetings will generally be held at the VFA Snobs Creek centre, Eildon. It is the responsibility of the VFA in consultation with the Chairperson to ensure meeting agendas and papers are circulated in a timely manner prior to the meeting. Five working days in advance of each meeting is the benchmark for routine business papers. In case of an extraordinary meeting papers will be circulated as soon as practicable.

In advance of each meeting, members are expected to review meeting papers and where necessary seek clarification. Some matters may arise out of session that will require consideration by members.

In the event of any significant incident that may occur at or in relation to the Snobs Creek Hatchery, the Advisory Board will be provided with an incident report by the time of the next meeting of the Advisory Board. This incident report must detail why the incident occurred and what action has been taken to minimise the possibility of recurrence of the incident. The Program Manager at Snobs Creek is responsible for the provision of this report.

6.4 Conduct of Members at Advisory Board Meetings

The Advisory Board determines its own general meeting procedures in accordance with accepted custom and practice. The Advisory Board deals with issues out-of-session, within the context of its Terms of Reference, as required. Where three or more members request that a decision on a matter proposed for out of session resolution be deferred, the Chairperson is, where practical, to hold that matter over until the next meeting.

The conduct of board members is to be guided by best practice for public sector entities. The Victorian Public Sector Commission website provides a range of practical material to assist in this area.

All members are required to work in a co-operative and collaborative manner with other Advisory Board members, including respecting the views of other members.

6.5 Meeting Records

The Advisory Board does not produce verbatim minutes. Summary outcomes of each meeting describing the issues under discussion and any advice provided by the Advisory Board are maintained for each meeting. Particular or dissenting views of individual members are recorded upon request. Where practical meeting

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records are produced live on-screen during Advisory Board meetings for member endorsement prior to the conclusion of each meeting.

Meeting outcomes will be approved by the Chairperson and submitted to the CEO, Victorian Fisheries Authority for endorsement prior to circulation. The CEO, Victorian Fisheries Authority is responsible for briefing the VFA Board and/or Minister, as appropriate.

Communication with members will generally be by email. Communication with broader stakeholder groups will be addressed through the strategic planning process but could include advertisement, website, and Facebook posts.

6.6 Quorum

No meeting shall commence or continue unless a quorum is present. A quorum is constituted by a majority of the members currently appointed including Ex Officio Members of the Advisory Board present either at the meeting or by teleconference meeting.

6.7 Consensus Decision Making

The Advisory Board is an advisory body and not a decision-making body. When preparing advice, it does so through a consensus approach. However, where a consensus view cannot be reached, minority or dissenting views are minuted upon request. The Advisory Board's advice is to be the majority view of the members present at the time of discussions held on an agenda item.

6.8 Validity of Decisions

Advice of the Advisory Board is not invalidated by:

- (a) A vacancy in the office of any member.
- (b) Any defect or irregularity in the appointment of a member.
- (c) Any accidental oversight of a procedural matter.

6.9 Proxies

Proxies are not permitted.

7. Members

The primary function of Members is to provide the highest level of advice based on their skills, experience and knowledge.

Each Member is responsible for:

- (a) attending 75% of Advisory Board meetings and contributing to the work of the Advisory Board;
- (b) making the necessary commitment of time to ensure they have understood sufficient information to participate in matters for consideration by the Advisory Board;
- (c) preparing for meetings;
- (d) consulting with stakeholders and networks, if required, regarding issues raised with the Advisory Board;
- (e) representing the Advisory Board in a professional and ethical manner;
- (f) providing qualitative and quantitative information, if necessary, to inform the work of the Advisory Board;
- (g) notifying the Chairperson and Secretariat before the meeting if the Member is unable to attend a meeting where possible; and

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(h) adhering to public sector values and behaviours.

Members are expected to work constructively with other Members who may have different views.

Members must possess a high degree of integrity, have good standing in the community, and be willing to attend and actively participate in meetings, online forums and other opportune activities related to the work of the Advisory Board.

Members must abstain from making adverse public comment about the Advisory Board.

A Member should advise the Chairperson and the Minister as soon as possible of any change in employment or other relevant personal circumstances which may affect their ability to participate as a Member of the Advisory Board. Such a change may prompt the Minister to review a Member's appointment.

8. Confidentiality

The operations of the Advisory Board, its membership, agendas, papers and minutes are generally to be public processes and documents.

However, certain deliberations of the Advisory Board must be treated confidentially in order to provide a forum for open debate and independent advice, especially when matters are being discussed that may involve the potential for commercial transactions such as capital investment bids as part of the government's budget process, or advising on government policy involving Cabinet deliberations. The Chairperson will be responsible for maintaining confidentiality as necessary regarding deliberations of the Advisory Board for non-members attending a meeting of the Advisory Board. The Chairperson may provide advice on confidential requirements where members are required to consult with stakeholders and networks regarding issues raised with the Advisory Board.

Members are appointed as subject matter experts not as representatives of organisations. Appropriate care must therefore be taken to avoid any potential conflict of interest or breach of confidentiality when communicating the business of the Advisory Board.

9. Freedom of Information

Members should be aware that all documents relating to the Advisory Board (for example meeting papers, correspondence, expense claims) will be placed on file by the department and will be subject to the *Freedom of Information Act 1982*.

Members should also be aware that electronic documents and social media messages could be the subject of a request for production under the *Freedom of Information Act 1982*.

10. Non-disparagement

Members shall abstain from making negative public comment that may bring the work of the Advisory Board into question or disrepute.

11. Conflict of Interest Policy Framework of the Victorian Public Sector

11.1 Obligation to declare

Members must be aware of the need to manage all genuine and perceived conflicts of interest and be aware of the possibility that an interest they may have could raise the perception of a conflict of interest.

A member who has a direct or indirect pecuniary or other relevant interest in any matter being considered or about to be considered at a meeting of the Advisory Board, and whose interest appears to raise, or to

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potentially raise, a conflict with the proper performance of the member's duties in relation to the consideration of the matter must, as soon as possible after the relevant facts have come to the member's knowledge, disclose the matter to the Chairperson. It is each member's responsibility to exercise extreme caution in such matters. In the event of any doubt, it is advised either a potential, or perception of a potential conflict of interest, should be notified immediately.

11.2 Recording of a declared conflict of interest

The Chairperson at a meeting at which a declaration of an interest is made shall cause the declaration to be recorded in the minutes of the meeting. The Chairperson is responsible for ensuring a conflict of interest register is maintained and is available for inspection by the Victorian Fisheries Authority when required.

11.3 Declared conflict of interest

A person who has declared any potential conflict of interest is to leave the meeting room whilst that matter is being discussed. If this action results in a quorum no longer being present for the meeting the Chairperson may waive the requirement for a quorum in this instance. The Advisory Board has a model policy which addresses conflict of interest.

A contravention of Clause 11 does not invalidate any decision of the Advisory Board.

A copy of the Conflict of Interest Policy Framework, Victorian Public Sector is at http://vpsc.vic.gov.au/ethics-behaviours-culture/conflict-of-interest/

12. Media enquiries

Members must not speak to the media about the business of the Advisory Board without prior permission from the VFA CFO.

Any direct media enquires must be forwarded to the Chairperson who will then seek the permission of the VFA CEO to respond.

Members must represent the Advisory Board in a professional and ethical manner.

13. Presentations to the Advisory Board

The Chairperson or the Victorian Fisheries Authority may invite individuals or organisations to give presentations to the Advisory Board on relevant matters in order to inform the Advisory Board's deliberations. The Victorian Fisheries Authority hatchery and management staff will present an operational report at each meeting of the Advisory Board.

14. Executive Support and Administration

The Victorian Fisheries Authority will provide secretarial and executive support services to the Advisory Board. This support includes recording meeting outcomes, and all organisation, coordination and communication activities related to Advisory Board meetings.

15. Funding

Funding for the Advisory Board and executive support are sought by the Victorian Fisheries Authority from the Recreational Fishing Licence Trust Account.

16. Performance Measures of Advisory Board

The strategic plan for the hatchery includes performance indicators for the Advisory Board and its operations.

Matters referred to the Advisory Board for advice will be dealt with in a timely manner, normally within two meetings. Appropriate supporting rationale will be provided for any advice given.

17. Review of Effectiveness

At the meeting closest to the anniversary of its first meeting, and in every subsequent year, the Advisory Board will discuss and evaluate its performance. Each member will be asked to complete a confidential and anonymous questionnaire evaluating the Advisory Board's performance and the performance of the Chairperson, and providing any recommendations for potential improvement. Responses will be discussed by the meeting and a report provided to the CEO, Victorian Fisheries Authority along with any recommendations for improvement.

Probity

18. Probity checks for prospective Members

Prospective Members are subject to probity checks to include:

- (a) a Declaration of Private Interests;
- (b) a Diversity Information and Privacy Consent Form (nominees consenting to have their details collected by the Victorian Government for appointment purposes);
- (c) a National Police Record check;
- (d) an Australian Securities & Investment Commission (ASIC) check;
- (e) an Australian Financial Security Authority (AFSA) check; and
- (f) a current Curriculum Vitae.

Once appointed, all Members must complete a Declaration of Private Interests form each year.

19. Code of Conduct for Victorian Public Sector Employees of Special Bodies

The Code of Conduct for Victorian Public Sector Employees of Special Bodies (1) (the Code) sets out guidelines for Members.

The Code states that in performing duties as a Member it is expected that Members:

- (a) provide high quality services to the Victorian community;
- (b) identify and promote best practice;
- (c) be honest, open and transparent in their dealings;

¹ A copy of the Code of Conduct for Victorian Public Sector Employees of Special Bodies is available online at https://vpsc.vic.gov.au/resources/code-of-conduct-for-employees/

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- (d) use powers responsibly;
- (e) report improper conduct;
- (f) avoid any real or apparent conflicts of interest;
- (g) strive to earn and sustain public trust of a high level;
- (h) make decisions and providing advice on merit and without bias, caprice, favouritism or self-interest;
- (i) act fairly by objectively considering all relevant facts and fair criteria;
- (j) work to clear objectives in a transparent manner;
- (k) accept responsibility for their decisions and actions;
- (I) seek to achieve best use of resources;
- (m) submit themselves to appropriate scrutiny;
- (n) treating others fairly and objectively;
- (o) ensure freedom from discrimination, harassment and bullying;
- (p) use their views to improve outcomes on an ongoing basis;
- (q) actively implement, promote and support leadership values;
- (r) make decisions and providing advice consistent with human rights; and
- (s) actively implement, promote and support human rights.

20. Acceptance of Gifts and Hospitality Policy

The Gifts, Benefits and Hospitality Policy Framework sets out guidelines for Members.

While Members have roles and duties separate to their role on the Council, this policy relates to matters that Members encounter during the performance of their duties as a Member.

The policy sets out guidelines on whether to accept or decline a gift, benefit or hospitality to avoid the perception that someone may be seeking to influence a Member.

A copy of the Gifts, Benefits and Hospitality Policy Framework is at: http://vpsc.vic.gov.au/resources/gifts-benefits-and-hospitality-policy-framework/

21. Sunset Review

The Snobs Creek Advisory Board entity will be reviewed at least every 6 years from the time of establishment (2014). Reviews must include an assessment against the following criteria, and whether the entity is operating efficiently and as intended and may also consider additional factors.

- (a) Is there a role for government?
- (b) What degree of autonomy from department or Ministers is required?
- (c) What is the appropriate form of entity?
- (d) Can the functions be performed by an existing entity.

The Minister may vary this Terms of Reference at their discretion following consultation with the VFA.