

# Community Impact Grant Allocations Delegated Committee

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## Terms of Reference

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## 1. Background

- 1.1. By this Terms of Reference document, the Ballarat City Council (Council) establishes the Community Grant Allocations Delegated Committee (Committee) pursuant to section 63 of the *Local Government Act 2020* (LGA).
- 1.2. The members of a Delegated Committee have the powers, duties and functions of Council as set out in these Terms of Reference and the Instrument of Delegation. These Terms of Reference set out the structure and basis on which the Committee can make decisions for and on behalf of Council.
- 1.3. These Terms of Reference are authorised by a resolution (R147/21) of Council passed on 28 July 2021.

## 2. Purpose

The Committee is established for the purpose of:

- 2.1 the disbursement of funds to:
  - a. respond to community need; and
  - b. support the objectives of the Council Plan
- 2.2 implementing structure and probity around the management of funds Council provides to the community in the form of grants;

## 3. Objectives

The objectives of the Committee are:

- 3.1 to effectively manage and disburse funds on behalf of Council in accordance with the Committee's delegated powers, duties and functions and within established funding programs;
- 3.2 to maximise the community impact of the grants program by approving for funding activities that achieve meaningful community outcomes;
- 3.3 to ensure community viewpoints are considered in funding decisions
- 3.4 to review the existing fund streams and make recommendations to Council on possible modifications or innovations; and

## 4. Roles and Responsibility

The role of the Committee is:

- 4.1 to exercise Council's powers and carry out Council's duties and functions, in accordance with these Terms of Reference and as permitted by the Instrument of Delegation;
- 4.2 to evaluate grant applications and disburse public funds to the community;
- 4.3 to ensure that funded activities align with the Council Plan and other Council strategies;
- 4.4 to evaluate variation requests over \$500.00 of funding allocations to grant recipients when requested;
- 4.5 to identify opportunities to connect funding across the community to achieve greater community benefits;
- 4.6 to promote the efficiency, effectiveness and economy of Council funding programs and recognise that the funds the Committee has delegated authority to distribute are Council funds;
- 4.7 to operate within the financial parameters approved by the Council in its annual budget;
- 4.8 to ensure regular and flexible meeting arrangements to meet critical funding needs;
- 4.9 to maintain confidentiality of applications, decisions and Committee discussions;
- 4.10 so far as possible, to ensure all funds are allocated and disbursed each year (as funding is not carried over each year). Note: In exceptional circumstances grants may be committed forward into the following financial year; and
- 4.11 to ensure all funds are allocated and disbursed on activities that are for the benefit of Council's residents and Municipal District.

## 5. Delegation of Powers, Duties and Functions

- 5.1 In order to fulfil and carry out its purposes and objectives Council delegates to the members of the Delegated Committee, pursuant to section 11(1)(a) of the *Local Government Act 2020*, the powers, duties and functions set out in the Instrument of Delegation passed at Council on 28 July 2021 (R147/21) and attached to these Terms of Reference.
- 5.2 The powers, duties and functions of Council conferred on the Committee by these Terms of Reference and Instrument of Delegation must be exercised in accordance with any guidelines or policies that Council may from time to time adopt.

- 5.3 Committee members are at all times expected to act in accordance with their responsibilities set out in Council's Governance Rules and the Committee Policy.

## 6. Membership

The Committee will consist of seven (7) members comprising:

- 6.1 Four (4) external representatives:
- 6.1.1 one (1) Representative from United Way or The Ballarat Foundation; and
  - 6.1.2 three (3) Community Representatives.
- 6.2 Three (3) Councillors.
- 6.3 Council Officers to assist and advise the Committee when necessary:
- 6.3.1 Executive Manager Engaged Communities
  - 6.3.2 Coordinator Community Participation
  - 6.3.3 Executive Manager Financial Services
  - 6.3.4 Community Development Support Officer; and
  - 6.3.5 Other Council Officers as approved by the Chief Executive Officer.
- 6.4 The tenure of Committee members shall be at the discretion of the Council, however:
- 6.4.1 A Representative from United Way Ballarat or The Ballarat Foundation is appointed by their respective Board.
  - 6.4.2 Appointments made are for a period of four (4) years. Community Representatives can complete a maximum of one term of four (4) years.
  - 6.4.3 The Council shall select the independent Community Representatives based on a documented selection process, with reference to the position description and any other relevant criteria as determined by Council with the advice of the Committee and shall determine the final membership of the Committee.
  - 6.4.4 In selecting Community Representatives, the gender balance of the Committee will be considered.
- 6.5 Council Officers appointed under 6.3.3 and 6.3.4 who attend the meetings of the Committee are to provide advice and support to the Committee and are not considered Committee members and do not have voting rights.
- 6.6 Each member of the Committee has and may exercise one equal vote on any question before the Committee for determination.

- 6.7 Council Officers will manage all internal resourcing to support the Committee in the promotion of programs and administration of the Committee in carrying out their duties.
- 6.8 Council will revise the membership and voting rights of each Committee member as it sees fit.
- 6.9 The Councillor appointed by the Council or the Mayor will be the Chairperson of the Committee in accordance with section 63(2)(a) of the *Local Government Act 2020*.
- 6.10 If the Chairperson is absent from a Committee meeting, the Committee will select a temporary Chairperson to chair the Committee meeting.
- 6.11 All of the Committee members must submit initial personal returns and biannual personal returns in accordance with sections 133 and 134 of the *Local Government Act 2020*.
- 6.12 Community Representatives will be selected on merit and expertise and appointed as individuals and not as representatives of a group or organisation.
- 6.12.1 Selection will be based on demonstrated skills and experience in the following areas:
- demonstrated experience in writing and delivering strategic plans and knowledge and understanding of how key actions can translate through a grant program;
  - proven ability to work cooperatively in advisory groups or selection panels.
- 6.13 All Delegated Committee members must assess, score and allocate funding in accordance with set operational parameters and methodologies. Decisions are made upon a majority vote, including the vote of the Chairperson. The Chairperson has a casting vote if appropriate.

## 7. Meetings

- 7.1 Unless Council resolves otherwise, Committee meetings must be conducted in accordance with:
- 7.1.1 Council's Governance Rules;
- 7.1.2 section 61 of the *Local Government Act 2020*; and
- 7.1.3 the Committee's discretion, as exercised from time to time.
- 7.2 The Committee will meet on at least five (5) occasions per financial year, or as required to process applications and achieve purpose.

- 7.3 A quorum of the Committee will be a majority of the Committee membership with voting rights. This equates to four (4) Committee members, three of which must be community representatives.
- 7.4 Voting will be by a majority of votes by a show of hands. Only members in attendance are entitled to vote. The Chairperson shall have the casting vote in the event of an equality of votes.
- 7.5 Sub committees may be appointed by the Committee and meet between general meetings and as authorised by the full Committee. Sub committees do not have any delegated powers.

## **8. Reporting**

- 8.1 The Committee is responsible for taking proper minutes of all meetings and preparing reports for the Committee's consideration in accordance with:
- 8.1.1 Council's Governance Rules; and
  - 8.1.2 the Committee's discretion, as exercised from time to time.
- 8.2 Minutes of Committee meetings must be forwarded to the Statutory Compliance Unit immediately after adoption by the Committee.
- 8.3 The Director Community Wellbeing is responsible for the co-ordination of an annual grants summary report to Council which will include information on monitoring, evaluation and reporting from across the organisation.
- 8.4 The Committee may be included in Council's internal Annual Audit program.
- 8.5 A mid-year breakdown report is to be presented to the Delegated Committee using the breakdown as follows:
- Capital
  - Community events and programs
  - Equipment
  - Training and development
- 8.5.1 The mid-year report is to also provide a thematic split of grant allocations where applicable e.g. number of multicultural grants allocated.

## **9. Creation and Dissolution**

- 9.1 By these Terms of Reference, the:
- 9.1.1 Committee is established; and

- 9.1.2 powers, duties and functions of the Committee members, as set out in the Instrument of Delegation, are delegated.
- 9.2 These Terms of Reference and the Instrument of Delegation:
  - 9.2.1 come into force immediately when the resolution of Council adopting them is made; and
  - 9.2.2 remain in force until Council determines to vary or revoke it.
- 9.3 The Committee must be dissolved by a resolution of Council.
- 9.4 The Terms of Reference will be reviewed as required.

Dated: 28 July 2021 (R147/21)