

RAP Working Group - Terms of Reference

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RAP Working Group Terms of Reference



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| Responsible Department | Corporate Services (Community Development) |
| Date to be Reviewed | December 2025, then every 2 years, or as new RAP is adopted. |
| Attachments | EOI form, Resignation/Nomination Form, Declaration of Interest. |

CHANGES TO DOCUMENT

| Version | Date | Changes / Amendments |
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| 1.0 | 11/12/24 | Adopted |

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Acknowledgement of Country

We acknowledge the traditional custodians of the land within the Shire of Chittering, the Yued and Whadjuk peoples. We would like to pay respect to the Elders of the Nyoongar nation, past and present, who have walked and cared for the land. We acknowledge and respect their continuing culture, and the contributions made to this region.

1. Working Group Establishment

At the Ordinary Meeting of Council, held on Wednesday 21 August, Council endorsed the Roadmap to a Shire of Chittering Reflect Reconciliation Action Plan 2024-2026 (RAP Roadmap).

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 100824

Moved Cr Ross, seconded Cr Curtis

That Council:

1. Endorses the Shire of Chittering Roadmap to a Reflect Reconciliation Action Plan 2024-2026; and
2. Instructs the Chief Executive Officer to establish a Reconciliation Working Group to assist with the governance of the roadmap and development of a Reflect Reconciliation Action Plan.

CARRIED 6 / 1

TIME: 8.37PM

For: Cr King, Cr Angus, Cr Hughes, Cr Ross, Cr Campbell, Cr Curtis

Against: Cr Dewar

As per the council resolution, the Shire of Chittering (the Shire) has established a RAP Working Group to assist with the governance of the RAP Roadmap, and development of a Reflect RAP.

1.1. Purpose

The RAP Working Group will assist the Shire in establishing a foundation for reconciliation and planning for future RAPs and reconciliation initiatives. To achieve this goal, the RAP Working Group must commit to:

1. Evaluating and reflecting on how the Shire of Chittering can contribute to reconciliation.
2. Understanding the Aboriginal and Torres Strait Islander stakeholders and their influence within the Shire of Chittering.
3. Collaborating with Aboriginal and Torres Strait Islander peoples and relevant stakeholders to enhance relationships and develop a Reflect Reconciliation Action Plan for the Shire of Chittering.

1.2. Types of RAPs

There are four types of RAPs that an organisation can develop: Reflect, Innovate, Stretch, and Elevate. Each type of RAP is designed to suit an organisation at different stages of their reconciliation journey.

Reflect RAP

Scoping capacity for reconciliation

A Reflect RAP clearly sets out the steps the Shire should take to prepare the organisation for reconciliation initiatives in successive RAPs.

Committing to a Reflect RAP allows the Shire to spend time scoping and developing relationships with Aboriginal and Torres Strait Islander stakeholders, deciding on the vision for reconciliation and exploring the sphere of influence, before committing to specific actions or initiatives.

This process will help to produce future RAPs at the Innovate, Stretch and Elevate stages that are meaningful, mutually beneficial and sustainable.

Innovate RAP

Implementing reconciliation initiatives

An Innovate RAP runs for two years, and outlines actions for achieving our organisation's vision for reconciliation. Innovate RAP commitments allow the Shire to gain a deeper understanding of our sphere of influence and establish the best approach to advance reconciliation.

An Innovate RAP focuses on developing and strengthening relationships with Aboriginal and Torres Strait Islander peoples, engaging staff and stakeholders in reconciliation, and developing and piloting innovative strategies to empower Aboriginal and Torres Strait Islander peoples.

Stretch RAP

Embedding reconciliation

A Stretch RAP is best suited to organisations that have developed strategies and established a very strong approach towards advancing reconciliation internally, and within the Shire's sphere of influence.

This type of RAP spans a two-to-three-year period, and is focused on longer-term strategies, and working towards defined measurable targets and goals. The Stretch RAP requires organisations to embed reconciliation initiatives into business strategies, so they become 'business as usual'.

Elevate RAP

Leadership in Reconciliation

An Elevate RAP is for organisations that have a proven track record of embedding effective RAP initiatives in their organisation through Stretch RAPs and are ready to take on leadership to advance national reconciliation.

Elevate RAP organisations have a strong strategic relationship with Reconciliation Australia and actively champion initiatives to empower Aboriginal and Torres Strait Islander peoples and create societal change.

Elevate RAP organisations also require greater transparency and accountability through independent assessment of their activities.

2. Authority

2.1. Limitations

In carrying out its responsibilities, the RAP Working Group must always recognise the responsibility for management of the Shire of Chittering rests with the Council and the Chief Executive Officer, as provided in the *Local Government Act 1993*.

Working Group members have an advisory role and do not have delegated authority to:

- Make decisions on behalf of Council.
- Expend money on behalf of Council.
- Speak on behalf of Council.
- Speak on behalf of the Working Group.
- Commit Council to any arrangement.
- Consider any matters outside its area of reference.
- Direct Council officers in the performance of their duties.

2.2. Making Recommendations

- The Working Group may decide to bring an action item to the attention of Council, for their consideration and possible adoption.
- The Working Group must maintain a record of attendance of the members present at meetings and any decision it would like the Council to consider must be recorded in the minutes.
- The RAP chair will provide guidance if the decision can be resolved internally or if it will need to be presented to Council.
- If the decision needs to go to Council to be resolved, a report will be prepared for the next Ordinary Council Meeting.
- Council staff will ensure the recommendation is presented to Council in a timely manner.
- Council will decide if they adopt the recommendation or not.
- Council's decision and rationale for the decision will be communicated back to the Working Group at the following meeting after the Council decision is made, by the Chair.

2.3. Handling Culturally Sensitive Information

When an issue that is identified as culturally sensitive by Aboriginal and Torres Strait Islander members, impacted members can form a discussion group to discuss the matter before the next scheduled Working Group meeting.

3. Membership

3.1. Process

The first essential 'minimum element' for developing a RAP is to establish a working group made up of Aboriginal and Torres Strait Islander stakeholders and non-Aboriginal and Torres Strait Islander staff and/or stakeholders.

3.2. Membership

The Working Group primarily comprises the following:

- Membership of the RAP Working Group will be limited to ten (10) people.
- A mixture of community representatives and Councillors.
- At any time during the RAP development process, new members can be invited to be involved as appropriate and relevant.
- Members participate on a voluntary basis.

3.3. Membership Structure

The RAP Working Group can comprise of:

- Residents of the Shire of Chittering who identify as Aboriginal and/ or Torres Strait Islander and are aged 18 or over.
- Aboriginal or Torres Strait Islander peoples who have a connection with the lands and water within the Shire of Chittering LGA boundary.
- Independent Community members.
- Councillor delegates (limit of 4), one of whom will act as chairperson for the RAP Working Group meetings.
- An officer of the Shire of Chittering cannot be a member of the Working Group

3.5. Staff Representatives

An officer of the Shire's Community Development team will manage the RAP project and will act as the secretary for the group.

Other officers of the Shire of Chittering will be available to provide expert advice and guidance to the working group as required.

3.6. Membership and Representative Criteria

Community members will ideally meet the following criteria:

- Knowledge and understanding of the priorities of Aboriginal and Torres Strait Islander peoples in the Shire of Chittering LGA.
- An interest and/or involvement in local and/or broader Aboriginal community affairs, advocacy and networks;
- An ability and willingness to contribute to the strategic development of policy impacting Aboriginal and Torres Strait Islander peoples at a local government level.
- Have an interest in, and commitment towards reconciliation.
- Be able to prepare for, attend and actively participate in at least 75% of scheduled meetings in a 12-month period.
- Have a mix of skills and attributes which complement other members.
- Must be willing and able to commit to a minimum 2-year timeframe to oversee the development of a Reflect RAP.

- Provide advice and comment on the RAP framework and priorities identified by Council for the Reflect RAP.

Staff Representatives will:

- Have relevant experience in working groups and/or demonstrated ability to participate and contribute constructively.
- Represent and actively communicate the views of other staff.
- As far as practicable, will be prepared to:
 - Understand the role of local government in reconciliation, services and programs from a First Nations perspective.
 - Support and assist with research and community engagement activities.
 - An ability and willingness to contribute to the strategic development of policy impacting Aboriginal and/or Torres Strait Islander peoples at a local government level.
 - Communicate feedback on the RAP development between staff from their department, and the working group.
 - Provide feedback on the processes involved in developing each RAP stage (Reflect, Innovate, Stretch and Elevate).
 - Discuss issues and concerns and recommend ways forward.

3.7. Nomination

Council will call for an external Expression of Interest (EOI) for Aboriginal and/or Torres Strait Islander community members to fill positions within 3 months of the creation of the Working Group.

Council will call for an external Expression of Interest (EOI) for independent community members to fill positions within 3 months of the creation of the Working Group.

As per the Local Government Act 2020, (the Act), a Councillor delegate will be appointed to the Working Group. An additional 3 Councillors can nominate to be part of the Working Group.

A nomination/resignation form must be filled out when there is a change to the Council appointed representatives or when a new RAP is scheduled to begin.

3.7. Vacancies

Vacancies may arise during the term of the RAP Working Group. If a vacancy does occur, the RAP Working Group may invite an individual to join the group that has expressed an interest previously or seek new expressions of interest to fill the vacancy.

4. Key responsibilities of the Working Group

4.1. Key Deliverables

The key deliverable of the RAP Working Group is to support the development, endorsement and implementation of a Reflect Reconciliation Action Plan (RAP) for the Shire of Chittering Local Government Area.

This will be developed in consultation with Reconciliation Australia, using their toolkit, templates, and resources.

The RAP Working Group has a number of deliverables as part of developing a RAP for the Council, in particular:

1. Determine the Shire's vision for reconciliation.
2. Scope and reflect how the Shire can contribute to reconciliation.
3. Advise and make recommendations about RAP priorities.
4. Build an understanding of who, how, why and when the Shire needs to seek guidance and consultation.
5. Develop a draft Reflect RAP within the context of the Shire's core business and in-line with the Shire's Strategic Community Plan.
6. Ensure where necessary that responsibilities are delegated appropriately.
7. Establish and facilitate a consultative process for engaging staff, and external stakeholders (as decided by the RAP working group) so that they can:
 - Provide ideas for the RAP.
 - Provide comment on drafts.
 - Volunteer to assist with the implementation of RAP deliverables.
8. Develop a project plan and timeline to development, launch and begin implementing the RAP.
9. Oversee endorsement of the RAP.
10. Regularly liaise with relevant the Shire's internal departments and key stakeholders:
 - To review progress of RAP actions.
 - Keep the committee informed of current and emerging developments, and issues and activities relevant to the delivery of the RAP.
 - Consider RAP implementation issues and consult with the Shire's internal departments to find solutions.
11. Report RAP progress to Reconciliation Australia annually.
12. Report RAP progress internally as per organisational requirements and to relevant Aboriginal and Torres Strait Islander stakeholders.
13. Develop a new RAP when the current plan expires.
14. Reflect on key learnings in the development of new RAPs.

The RAP working group are able to recommend to Council changes to policies and internal operations.

4.2. Code of Conduct

Members of the RAP Working Group are bound by the Shire of Chittering Code of Conduct. In this regard, each community member will be provided with a copy of the document and required to acknowledge on their EOI, their acceptance of such.

4.3. Conflicts of interest

Members must declare any real or perceived conflicts of interest at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest should be recorded in the minutes.

Where a financial interest is identified the group member must complete a Declaration of Interest on the prescribed form and submit to the Shire's Chief Executive Officer.

A "financial interest" is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

4.4. Use of Information

It is important that the community has confidence that any information gathered by Council and its Working Group members is used only for Council purposes and for the purposes for which it was collected.

4.5. Confidentiality

Members of the RAP Working Group are required to maintain the integrity and security of confidential information in your possession, or for which you are responsible. This is in accordance with the Shire's Code of Conduct.

4.6. Media

The Shire President is the Shire of Chittering's delegated media spokesperson.

Community members should defer any media enquiries to the Chairperson in the first instance and should take care not to respond as a representative of the group.

5. Composition of Working Group

5.1. Office Bearers

The Chairperson will be an elected member of Council of the Shire of Chittering.

The Chairperson is responsible for chairing meetings and representing / advocating on behalf of the RAP Working Group and its work. If the Chairperson is absent another elected member of Council within the group will be appointed to chair the meeting.

The Secretary will be a staff member in the Shire's Community Development Team, who will also be the officer responsible for the RAP project for the Shire of Chittering, but will have no voting rights.

Chairperson

Chairs meetings in accordance with RAP Working Group agreed Terms of Reference i.e. required notice of a meeting is given and a quorum is present.

Ensures all decisions are recorded within delegated framework and that any decisions requiring Council approval are noted and referred to council for a decision.

Represents / advocates on behalf of the Working Group and its work.

Ensures all conflicts of interest are noted and disclosures by members of any pecuniary interest or conflicts of interest are received and submitted to council.

Secretary

Provide notice and agenda of meetings to Working Group members.

Dealing with all incoming and outgoing correspondence.

Tabling all correspondence at meetings for appropriate action.

Accurately recording minutes of each meeting and forwarding all minutes to the Chief Executive Officer and to all members of the Working Group.

Provide a one-page report to council annually by 31 July. The report must include as summary of key achievements of the Working Group for the financial year (with photos where possible).

The Shire of Chittering's Community Development team will provide secretariat services to the group.

5.2. Term of Office

The term of RAP Working Group will initially be for 2 years, then for the duration of each future RAP.

The EOI process for membership will be repeated throughout the four phases of the reconciliation framework to ensure the working group has new ideas as well as continuity.

Members completing a term may re-apply for a further term.

6. Meetings

6.1. Meeting schedule

Dates and times of the meeting will be set in advance at the first meeting of the RAP Working Group.

Should a change in meeting room or time be required, members of the Group will be notified by the Secretary.

Members unable to attend a scheduled meeting are required to notify the Chairperson or the Secretary prior to the meeting.

6.2. Meeting Arrangements

Arrangements for meetings are to be determined by the Chairperson and supported by the Secretary, in consultation with the members.

- the agenda and supporting material will be circulated at least five (5) days prior to a meeting
- any supporting material or papers that are confidential will be clearly marked as such and remain confidential to members
- any general business items tabled during meetings will be short, requiring no more than five minutes' presentation or discussion
- meetings will be run in a fair and independent manner and support open and constructive dialogue.
- Minutes will be circulated within ten (10) days of each meeting.

6.3. Agendas

The Secretary has responsibility for preparing the agendas and minutes for each meeting.

Each meeting will have an agenda, which must be prepared on the template provided and include:

- Welcome to Country (or in the absence of an Aboriginal leader, an Acknowledgement to Country)
- Apologies
- Adoption of previous minutes
- Matters arising from previous minutes
- New agenda general business items
- Other business
- Action plan

6.4. Quorum

The quorum will be equal to 50% of the Working Group being represented at the meeting.

If a quorum is not reached within 20 minutes of the set starting time, the meeting will be adjourned to a date, time and place set by the Chairperson.

6.5. Decision making

Members must follow the Shire of Chittering's Code of Conduct in their decision-making including, but not limited to, provisions concerning conflict of interests, gifts and benefits and general conduct.

The Working Group will strive for decisions based on agreement. When agreement cannot be reached, a decision will be made by a majority vote. Where the vote is equal, the Chairperson will have the deciding vote. A decision supported by a majority of the votes at a meeting with a quorum of members, is a decision of the Working Group.

The Working Group may elect to vote by either a show of hands or by secret ballot (depending on the issue being discussed).

Each member or delegate is entitled to one vote.

6.6. Minutes

The Secretary will minute all meetings. Minutes of the meetings, together with the notice of the next scheduled meeting, will be sent to all members within ten (10) business days after each meeting.

6.6. Other Attendees

Members of the public or staff may be invited to participate in selected meetings or consultations as determined by the group.

Should a member of the public wish to address the RAP Working Group at a meeting, they must submit a written request to the Chairperson via email, or in person, with 3 days advance.

The Chair's decision is final on whether an address will be scheduled for the meeting.

An address will be limited to 3 minutes.

7. Specific RAP Matters

7.1. Endorsement of the Reflect RAP

At the Ordinary Council Meeting on Wednesday 21 August 2024, Council endorsed the establishment of a RAP Working Group to progress the establishment of a Reflect Reconciliation Action Plan for Council (Resolution - 100824).

The RAP Working Group will work closely with Reconciliation Australia during the Reflect RAP development process to ensure the plan includes all the minimum elements for endorsement.

7.2. Approval of the RAP

The final draft document of any RAP must firstly be endorsed by Council, before being submitted to Reconciliation Australia for final official endorsement, prior to being launched or released publicly.

7.3. Reporting

The RAP Working Group will report directly to the officer responsible for the RAP project on the progress of the RAP development and implementation.

The RAP working group is responsible for liaising with all relevant internal departments to complete and submit the RAP Impact Measurement Questionnaire to Reconciliation Australia annually.

7.4. Review of Terms of Reference

The Reconciliation Action Plan Working Group Terms of Reference will be reviewed in the first twelve (12) months of the working group or at the delivery of the Reflect Reconciliation Action plan. From then on it will be reviewed every two (2) years or after completion of the next RAP, whichever comes first.