



Strathbogie Shire Council

Expression of Interest
Audit and Risk Committee
Independent Member

July 2024

Strathbogie
SHIRE COUNCIL

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1. BACKGROUND

The Strathbogie Shire Council has established an Audit and Risk Committee (the Committee) consistent with Section 53 of the *Local Government Act 2020* (the Act).

The committee supports Council in discharging its oversight responsibilities related to financial and performance reporting, risk management, fraud prevention, internal controls, and assurance activities including internal and external audit and compliance with its policies and legal obligations.

It performs its role by monitoring, reviewing, endorsing and advising Council on matters set out in its charter, which can be found on our website at strathbogie.vic.gov.au.

The appointment of a majority of independent members to the committee enables the committee to provide advice to Council on matters related to its responsibilities based on broader skills and experience than might otherwise be the case and in so doing bring additional benefits to Council.

One of the four independent member positions on the committee become vacant in December 2023. As a result, expressions of interest are invited from suitably qualified and experienced persons to fill this position.

2. LOCAL GOVERNMENT

Local government plays a central and indispensable role within our federal system of government and is recognised in the Victorian Constitution as a distinct and independent tier of government. It is the level of government closest to the people and gives people a say in matters affecting their local area.

3. STRATHBOGIE SHIRE COUNCIL

The Strathbogie Shire Council is one of 79 councils in Victoria. Council plans and delivers services to its local community in infrastructure construction and maintenance, health, planning and building control, business and economic development, waste and environmental management, and human and community services.

The Council is made up of two parts: the elected representatives (Councillors) and organisation (staff). The elected council sets the overall direction for the municipality through long-term planning and decision making. It adopts a strategic view of the future it wishes to achieve for its community and makes plans and policies to achieve this.

Council manages significant finances on behalf of the community. It must responsibly manage these finances in order to provide the services and facilities that are needed.

4. AUDIT AND RISK COMMITTEE

The committee consists of six members including four independent members who are not councillors and two councillors.

The Chief Executive Officer, and Council's Internal Auditors (appointed by contract) attend all meetings by invitation of the committee which are held four times a year at a minimum. VAGO's external audit representative attends meetings to present the audit plan and the statutory audits of the financial statements and performance statement. Other members of staff also attend meetings to assist the committee to discharge its responsibilities.

The committee supports Council in discharging its oversight responsibilities related to financial and performance reporting, risk management, fraud prevention, internal controls, and assurance activities including internal and external audit and compliance with its policies and legal obligations.

The committee is directly responsible to Council for discharging its responsibilities as set out in the Charter. It is also the committee's role to report to Council and provide appropriate advice and recommendations on matters relevant to its charter, in order to facilitate decision-making by Council. On occasion the committee may refer matters to Council for decision.

The committee does not have executive powers or authority to implement actions in areas over which management has responsibility and does not have any delegated financial responsibility. The committee does not have any management functions and is therefore independent of management.

5. INDEPENDENT MEMBER ROLE

6. Functions and Responsibilities

An independent member of the committee is required to contribute to achievement of the committee's functions and responsibilities, including:

- monitoring and providing advice on risk management systems and controls
- monitoring and providing advice on fraud prevention systems and controls
- overseeing internal and external audit functions
- monitoring the compliance of Council policies and procedures with the overarching governance principles and with the Act and the regulations and any Ministerial directions
- monitoring Council financial and performance reporting
- development and adoption of the committee's annual work program
- contributing to an annual assessment of the committee's performance against the charter
- contributing to the development and adoption of a biannual audit and risk report that describes the activities of the committee, including its findings and recommendations

7. Integrity Obligations

Sections 123 and 125 and Division 2 of Part 6 of the Act apply to a member of the Audit and Risk Committee who is not a councillor as if the member were a member of a delegated committee.

8. Misuse Of Position

Section 123 requires that a person who is, or has been, a member of the committee must not intentionally misuse their position:

- to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or
- to cause, or attempt to cause, detriment to the Council or another person.

For the purposes of section 123, circumstances involving the misuse of a position by a person who is, or has been, a member of the committee include:

- making improper use of information acquired because of the position the person held or holds; or
- disclosing information that is confidential information; or
- directing or improperly influencing, or seeking to direct or improperly influence, a member of Council staff; or
- exercising or performing, or purporting to exercise or perform, a power, duty, or function that the person is not authorised to exercise or perform; or
- using public funds or resources in a manner that is improper or unauthorised; or
- participating in a decision on a matter in which the person has a conflict of interest.

9. Confidential Information

Section 125 of the Act requires that a member of the committee must not intentionally or recklessly disclose information that the person knows, or should reasonably know, is confidential information:

- unless the information that is disclosed is information that the Council has determined should be publicly available; or
- unless the circumstances provided by section 125(3) of the Act apply.

10. Conflict Of Interest

The requirements of Division 2 of Part 6 of the Act regarding conflicts of interest apply to a member of the committee.

In general terms, a member of the committee who has a conflict of interest in respect of a matter must:

- disclose the conflict of interest in the manner required by Council's Governance Rules; and
- exclude themselves from the decision-making process in relation to that matter, including any discussion or vote on the matter at any meeting, and any action in relation to the matter.

11. ELIGIBILITY

To be considered for the role the following mandatory requirements must be met:

- The applicant must not be a member of Strathbogie Shire Council staff
- The applicant must not be an elected member of the Strathbogie Shire Council
- The applicant must not have any convictions for any indictable offences

- The applicant must not have any convictions for fraud
- The applicant must not have been disqualified from acting as a director of a company or from managing a company
- The applicant must not be facing court proceedings for any criminal proceedings, including bankruptcy.

12. SELECTION CRITERIA

The independent members of the committee must collectively have expertise in financial management and risk and experience in public sector management. The selection of the successful applicant will aim for this collective outcome through consideration of the following selection criteria:

- knowledge of the Strathbogie Shire community
- a relevant degree qualification
- expertise in financial management
- expertise in risk management and fraud prevention
- experience in public sector management with experience in rural councils being an advantage
- experience related to internal and external audit functions
- strong interpersonal and communication skills.

13. TERM OF APPOINTMENT

Membership of the committee will be reviewed at least every three years by the Council with the aim of ensuring an appropriate balance between continuity of membership, the contribution of fresh perspectives and a suitable mix of qualifications, knowledge, skills, and experience. Councillor members will be appointed for a one-year term of office.

The initial appointment of independent Committee members shall be for a three-year period. The position for an independent member(s) will be publicly advertised at the end of each term. This does not preclude existing members from being re-appointed through a competitive process. Council may reappoint current independent members if exceptional circumstances are considered to exist.

Where possible, the end of the terms of Independent Members will be staggered to avoid losing continuity in the Committee's membership.

14. MEETINGS

The committee meets four times per year at a minimum. Additional meetings may be scheduled as required. Generally, meetings run for two to three hours on a weekday during normal working time.

15. REMUNERATION

Pursuant to section 53(6) of the Act, the Council will pay a stipend to independent committee members. This stipend will be based on an amount per meeting (currently \$380.53 for

members and \$444.67 for the Chair), determined by the Council, which will be indexed in alignment with the rate cap percentage each 1 July.

Once every three years the Chief Executive Officer will benchmark the stipend paid to Independent Members against other small rural councils in the Hume region to inform the review of stipend amounts by the Council.

16. EXPRESSION OF INTEREST PROCESS

17. Requirements

Applicants should provide the following information as part of their expression of interest:

- a cover letter
- a submission addressing the eligibility requirements and selection criteria
- resume
- two professional referees with their contact details.

Please note that while applicants are not required to provide evidence of qualifications with the application, they may be requested by Council to do so to be successfully appointed.

Expressions of interest must be received by the closing time, as late applications will not be accepted.

18. Submission

Hardcopy	Details
Postal address	Strathbogie Shire Council PO Box 177 Euroa VIC 3666
	Sealed envelope marked: "Confidential Application – Independent Member Audit and Risk Committee"
Electronic	Details
Email address	info@strathbogie.vic.gov.au
Information to be in the title of the email	Confidential email with the title: "Confidential Application – Independent Member Audit and Risk Committee"

19. Closing time

Friday 12 July 2024 at 5 pm.

20. Timeline

This timeline provides applicants with an indicative timing for the consideration of expressions of interest. As the schedule is indicative only, it may be changed by Council at any time.

Date	Expression of Interest (EOI) activity
27 June to 12 July 2024	Advertised on council website, on LinkedIn, newspapers
12 July 2024	Closes at 5pm
19 July 2024	EOIs reviewed, short-listed and short-listed applicants invited for interviews
29 July to 2 August 2024	Interviews conducted with short-listed applicants
20 August 2024	Council resolution to appoint a new independent member
22 August 2024	Successful applicant notified and terms agreed and executed
23 August 2024	Unsuccessful applicants notified in writing
26 August to 30 August 2024	New independent member onboarding and induction
6 September 2024	New independent member attends the Audit and Risk Committee meeting

21.

22. EVALUATION

A panel including the chairperson, or other members of the Audit and Risk Committee and a senior Council officer will evaluate the applications.

Applications will be shortlisted, and suitable applicants will be invited to attend an interview, which may be conducted by video call arrangements.

23. Ineligible And Unsuccessful Applicants

Ineligible and unsuccessful applicants will be formally notified. Council may, in its absolute discretion:

- disqualify or reject any application that is incomplete or otherwise deemed to be ineligible or unacceptable
- disqualify any candidate found canvassing councillors
- disregard any content in an application that is illegible. Council is under no obligation whatsoever to seek clarification from an applicant
- extend or vary the closing time for applications, by providing notice on its website

24.

25. Withdrawal Of an Expression of Interest

An applicant may withdraw a previously submitted expression of interest, by notifying Council in writing. Council will cease to consider the expression of interest upon receipt of the written notification.

26. Privacy

All expressions of interest will be treated as confidential by Council. Council will not disclose the information contained in the application, except as required by law.

27. No Legally Binding Contract

Being shortlisted does not give rise to a contract (express or implied) between any short-listed applicant and Council. No legal relationship will exist between the Council and an applicant until both parties execute a formal agreement.

28. Contact Person

Questions or inquiries relating to the application process may only be directed to the following contact person:

Item	Detail
Name	Amanda Tingay
Position title	Director People and Governance
Phone	0438 395 161
Email address	Amanda.tingay@strathbogie.vic.gov.au