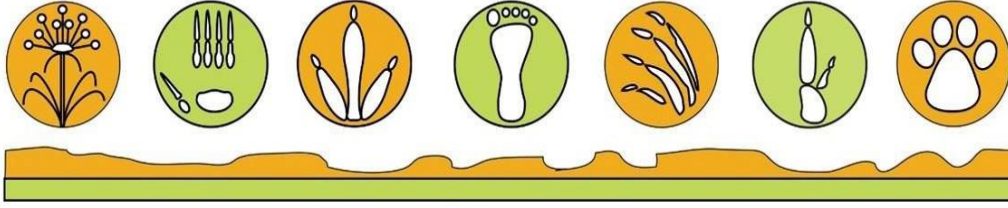


BARKLY REGIONAL COUNCIL



STANDING COMMITTEE TERMS OF REFERENCE

FINANCE COMMITTEE

Version No. 1

1. PURPOSE

The Finance Committee is established to assist Barkly Regional Council (“BRC, Council”) to oversee the allocation of Council’s finances and resources to enable Council to meet its governance obligations under the Local Government Act 2019 (the Act) and the Australian Accounting Standards.

The above objectives will be guided by the following regulatory framework.

- The Australian Accounting Standards
- Australian Taxation Office Requirements
- Financial Management Act 1995
- Local Government (Accounting) Regulations 2004

2. SCOPE

The Committee is an *Advisory Committee* which acts independently of the Council, but in accordance with the Act, these Terms of Reference and applicable Council Policies. Council may, by resolution, abolish this Committee.

Operational directions are not a part of this Committee’s responsibility.

Finance Committee Meetings are open to the public.

It is a requirement that the **Council Committee Terms of Reference Policy** be read in conjunction with these terms of reference.

3. RESPONSIBILITY

The CEO is responsible for providing the Committee with the necessary documents to enable the Committee to fulfil its responsibilities and objectives.

4. TERMS OF MEMBERSHIP AND VACANCIES

The appointment to this Committee will be for a term of two (2) years.

It is a general expectation that Committee members will seek to hold membership of the Committee for the term of the Committee.

A vacancy arises if a member:

- resigns in writing
- ceases to reside in the Barkly Regional Council local government area
- is absent from two consecutive meetings without leave being granted by the Chairperson
- fails to abide by the requirements of the Committee, including, but not limited to, Council’s Code of Conduct, these Terms of Reference and associated Council policies and procedures.

5. AUTHORITY

The Finance Committee has no delegated authority to make decisions on behalf of Council. The Committee's role is to provide advice to assist Council in its decision making processes.

6. FUNCTIONS

The objectives of the Committee include:

- Monitor income and expenditure to ensure budget compliance
- Consider funding options for major capital projects
- Assist Council to prepare its long-term financial plans
- Review the budget development processes
- Receive reports proposed to be put to the Council with significant financial implications
- Advise Council on specific financial matters referred to by the Council from time to time

The Committee undertakes the following functions:

- 1) Provide ongoing financial management leadership, giving deliberations to these matters before making recommendations to Council
- 2) Assess financial risks or concerns that may impact materially on the financial performance or financial position of Council
- 3) Review, monitor and advise Council on Council's financial performance against the following:
 - a. Annual Budget and Quarterly Budget Reviews in alignment with the Regional Plan
 - b. Annual Financial Statement (and submission according to stipulated dates)
 - c. Annual Auditor's Report and recommend any necessary follow up action
 - d. Monthly Financial Reports to Council
 - e. Aged Debts
 - f. Acquisition and disposal of Assets which exceed ??\$\$\$ value
 - g. Reporting obligations for GST, FBT, PAYG, Superannuation and Insurance
 - h. Annual Report of Rates in Arrears
- 4) Review proposals for the formation of shared services arrangements with other entities
- 5) Ensure there are adequate internal control systems, including a fraud protection plan
- 6) Review and input into the development of Council's Strategic/Regional Plan/Operational Plan
- 7) Review Council's cash, borrowing and investment strategies and strategic asset allocation
- 8) Review all proposed projects of Council.
- 9) Review tenders
- 10) Review and discuss options where Council has to consider a Special Rate Variation
- 11) Review projects seeking Grant Funding which requires a Council contribution that has not been allowed for in the Council's Annual or long term budgets
- 12) Review and assist Council in the planning and funding of capital replacements
- 13) At least annually, advise Council about the adequacy of Council's insurance coverage
- 14) At least annually, review the Organisational Risk Register and Risk Management Policy
- 15) Specific aspects of service delivery that does not include day to day operations, but which may have a material impact on Council's financial position
- 16) Referral of financial concerns to the Audit & Risk Committee
- 17) Refer matters of significant financial concern via the Whistleblower Policy if necessary

7. CALENDAR OF MEETINGS

There will be a minimum of one meeting every two months (i.e., a minimum of six meetings per year), held in accordance with the schedule of meetings published on BRC's website.

In addition to the mandatory schedule of meetings, the Committee may hold a **Special Meeting** to deal with a particular item of business whenever circumstances require. A Special Meeting is established, organized and run in the same manner as the usual scheduled meetings of the Committee.

8. COMMITTEE MEMBERSHIP

The Committee consists of people appointed, by resolution of Council, to be members of the Committee. The members of this Committee may include people who are elected members, Council staff and external community representatives.

The Committee will be formed of five (7) people and the membership is established as follows:

- Mayor (Chairperson)
- Deputy Mayor
- Three Elected Members
- Chief Executive Officer
- Chief Financial Officer

9. RESPONSIBILITIES OF COMMITTEE MEMBERS

- Contribute to the development of Council's financial management plans, policies and procedures
- Responsible for reviewing and approving financial reports as outlined in this document.
- Ensure recommendations, in relation to significant financial risk areas are followed up and implemented appropriately.
- Verify minutes of meetings as an accurate record of Committee meetings
- Refrain from making any public comment or issuing any information in any form, concerning matters of the Committee or matters of interest to the Committee, unless agreed by Council
- Take actions under the Whistleblower Policy if necessary.

In addition to the duties and responsibilities as a Committee member, the Chairperson shall:

- Provide leadership and direction to the Finance Committee including providing meeting structure, professionalism and efficiency.
- Ensure effective communication between the Committee, management and regulators.

10. SECRETARIAT

The CEO is responsible for providing secretariat support to the Committee. Responsibilities of the Secretariat as the authorised delegate of the CEO include:

- Preparing and publishing a notice convening each meeting of the Committee provided to each Committee member at least 3 business days before the date appointed for the meeting (S97)
- Preparing and publishing a notice convening each meeting of the Committee at least 3 business days before the date appointed for the meeting (S97)

- Preparing and posting a notice convening each meeting of the Committee on a notice board at the Council's public office at least 3 business days before the date appointed for the meeting (S97)
- Distributing business papers to all Committee members at least 3 business days prior
- Preparation of agendas in consultation with the Chairperson
- Ensure meeting minutes are ratified as a correct record at the next Committee meeting
- Ensure that until the minutes are confirmed by the Committee as a correct record of the meeting, that published minutes are marked as not having been confirmed as a correct record of the meeting, and no certified copy of, or extract from the minutes is to be issued by Council
- Ensure that any minutes which have suppressed confidential information contain a statement of that fact and the provision of the Act under which the information is confidential
- Coordinating room bookings, catering requirements, audio-visual equipment etc.

11. MEETING ATTENDEES

At the discretion of the Committee and/or as required for discussion around particular issues, the Committee may invite internal or external people to attend a meeting/s as a Guest of the Committee. The above attendees do not have voting rights at the Committee (unless they are a meeting member as resolved by the Council).

12. MEETING PROCEDURES

11.1 Procedures

Please refer to the **Council Committee Terms of Reference Policy** for all procedures required to be established and maintained by the Committee.

Meetings for this Committee are convened by the CEO in accordance with the requirements of the Act as outlined in the above Policy, including relevant requirements for the preparation and publication of minutes and handling of confidential business.

11.2 Voting

Each member present has, and must exercise, one vote on a matter arising for decision. The Chairperson must exercise, in the event of an equal number of votes, a casting vote.

For voting purposes, the Chairperson will accept motions moved and seconded by members of the Committee by a show of hands (or as otherwise agreed for remote attendees and in accordance with the Remote Attendance by Members at Meeting Policy).

A Committee decision is made by majority vote of voting members present at the meeting. A majority vote is 50% of the voting member votes plus one vote.

11.3 Conflict of Interest

It is the responsibility of every Committee member and meeting guest to declare any real or perceived conflicts of interest when joining the Committee and/or throughout their tenure on the Committee.

Conflicts of interest must also be identified at the start of each meeting, and as a matter arises in which a member has a conflict of interest on a matter.

The person with the conflict of interest will be excused from Committee discussions and deliberations on the issue where the conflict of interest exists and must leave the room for the duration of the

discussion and vote.

11.4 Deputy/Acting Chairperson

In the absence of the Chairperson or appointment of a Deputy Chairperson, the Committee members present will select one Committee member present to chair the meeting.

11.5 Remuneration

Eligible Committee members may receive attendance of meeting allowance as determined by Council resolution following the NT Government Statutory bodies classified remuneration structure.

13. SELF DEVELOPMENT OF THE COMMITTEE

The Council acknowledges the importance of fostering the self-development of Committee members to enhance skills and maintain their competence. Consequently, the Council commits to granting internal committee members reasonable access to technical and professional development opportunities, enabling them to stay abreast of legislative changes, financial management standards and other pertinent matters, and in accordance with any established professional development policies or allowances provided.

External members are expected to independently uphold their own professional self-development prerequisites.

14. COMMITTEE PERFORMANCE ASSESSMENT

Each calendar year the Committee shall undergo a self-assessment process to ensure all the functions and business of the Committee are being dealt with in an efficient and effective manner, and in accordance with established requirements.

The assessment process shall include but not be restricted to time of meetings, length of meetings, attendance at meetings, location of meetings, content of meetings, results of recommendations on matters discussed, achievements and satisfaction rating of members. The review should also evaluate these Terms of Reference.

The assessment may also seek input from relevant internal or external stakeholders or professional bodies.

The Chairperson is responsible for coordinating and documenting this process.

15. RELEVANT POLICIES

It is the responsibility of the CEO to ensure that the Committee is provided with, and signs for, copies of the following documents:

- Standing Committee Terms of Reference – Finance (this document)
- Council Committee Terms of Reference Policy
- Code of Conduct (Members & Local Authority)
- Council Regional & Operational Plans
- Conflict of Interest Policy
- Gifts & Benefits Policies

- Financial Management Reporting Policy
- Annual Statement & Key Dates Policy
- Borrowing Policy
- Investment Policy
- Asset Management Policy
- Risk Management Policy
- Remote Attendance by Members at Meetings
- Confidential & Business Information Policy
- EEO: Anti-Discrimination, Anti-Harassment & Anti-Bullying Policy
- Whistleblower Policy
- ICT Acceptable Use Policy

16. DOCUMENT REVIEW

These Terms of Reference will be reviewed by the Committee at the end of each calendar year or when related legislation is amended or due to other circumstances as determined by Council. Recommended changes are made to the Council for adoption.