



National Carer Strategy Advisory Committee Terms of Reference

Name of Committee: National Carer Strategy Advisory Committee (the committee)

Purpose and status of the terms of reference

These Terms of Reference set out the objectives and operational arrangements of the Committee and the responsibilities of those associated with the Committee. These Terms of Reference will be binding on all Committee members once they are considered and adopted at the first meeting of the Committee.

The department will work together with the Committee to review and reassess these Terms of Reference and, if required, make any amendments to the Terms of Reference to ensure they remain consistent with the functions of the Committee and the development of a National Carer Strategy.

As part of this review process, the Committee will work with the Department to review its performance.

Establishment

The Committee was created on 4 April 2024. The Committee is a non-statutory body created to fulfil the purpose outlined below.

Purpose of the Committee

The Committee will inform and guide work to support the development of the National Carer Strategy (the Strategy).

The Strategy will be an overarching national policy framework that will guide actions towards improved coordination of carer policy across Commonwealth portfolios including health and aged care, including mental ill health and palliative care, disability, education, employment and veteran's affairs.

Scope

The following topics are considered **in scope**:

- Commonwealth harmonisation
- Workforce participation
- Navigation of service systems e.g. NDIS or My Aged Care
- Education
- Respite, and
- Employment

The following topics are considered **out of scope**:

- Carer Payment and Allowance
- Kinship, Grandparent and Foster Care



- State and Territory services and support, noting this is a Commonwealth only Strategy.

The Minister for Social Services is the Commonwealth Government Minister responsible for the Strategy. The Committee will support the development, finalisation and implementation stages of the Strategy, as appropriate.

The work of the Committee will consider and align with other relevant strategies, inquiries and reviews including (but not limited to):

- House of Representatives inquiry into the recognition of unpaid carers final report
- National Strategy for the Care and Support Economy
- Senate Select Committee on Work and Care
- Productivity Commission inquiry into Carer Leave
- National Disability Insurance Scheme Review
- Australia's Disability Strategy 2021–2031
- National Strategy to Achieve Gender Equality (under development)
- Early Years Strategy (under development),
- National Autism Strategy (under development) and
- Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.
- National Dementia Action Plan

National Plan to Respond to the Abuse of Older Australians (Elder Abuse) 2019-2023

Purpose

Intersectionality

The Committee acknowledges the significance of intersectionality, recognising carers may face marginalisation due to the overlapping dynamics of various personal identities, including but not limited to:

- age
- disability (including carers who identify as having a disability themselves as well as having caring responsibilities for another person)
- ethnicity
- gender identity
- religion
- sexual orientation
- rural and remote living circumstances
- long term former carers
- culturally and linguistically diverse (CALD) backgrounds
- LGBTIQ+
- First Nation identities.

In all its work, the Committee will aspire to actively recognise and reduce any forms of marginalisation and discrimination faced by Committee representatives, contractors, community, and Committee members, and/or anyone associated with the development or implementation of the Strategy.



The work of the Committee aims to ensure the major contribution of unpaid carers to the economy is recognised, and support carers to maintain their wellbeing and participation in the workforce, while balancing their caring responsibilities.

Timeframe

The Committee will operate for the duration of the development, finalisation and launch phases of the Strategy, that is, from March 2024 to December 2024, with the option to extend the timeframe as required.

Committee membership

The Committee consists of:

- (a) two Co-chairs of the Committee; and
- (b) at least 10 and no more than 15 members

Membership of the Committee will include carers who are caring for someone with disability, a chronic or terminal illness or mental ill-health, or who is frail due to ageing. Membership will also consist of 20% of members organisations that represent carers.

Committee members must have the skills or expertise in:

- understanding of matters affecting Australia's unpaid carers
- connecting with and representing the views of carers
- advising or working with government (as an individual or through an organisation)
- understanding of matters affecting diverse communities. This includes carers or care recipients, and people who identify as: First Nations, culturally and linguistically diverse, women and girls, LGBTIQ+ community members; who live in regional and rural areas and, people with complex needs.

A person appointed as a Committee member holds the position for the period specified in their letter of appointment.

Co-chairs

The Minister for Social Services will appoint the following representatives to co-chair the Committee:

- a lived experience carer co-chair
- a Department of Social Services co-chair – Group Manager, Disability and Carer Programs Group.

The Co-chairs have a key role in ensuring the Committee effectively fulfils its purpose. The Co-chairs will be responsible for:

- (a) being the primary points of contact between the Committee and the Minister;**
- (b) ensuring the Committee adheres to the Terms of Reference;**
- (c) preparing the agenda for meetings in consultation with the National Carer Strategy Committee Secretariat (Secretariat);**



- (d) convening meetings, including the number, time and place;**
- (e) ensuring meetings are advertised in a timely fashion and the agenda and papers are distributed to members in advance of meetings;**
- (f) ensuring that adequate time is allowed for the discussion of agenda items and opportunity is available for the contribution of all members; and**

verifying the accuracy of minutes prior to publication and distribution.

Members

The Minister for Social Services will appoint the Committee members.

In addition to the Co-Chairs, the Committee will consist of 10-16 members comprised of at least:

- (a) 6-12 members with lived experience from diverse backgrounds** including First Nations, CALD, Caring for an older person, a young carer and an LGBTIQ+ carer.
- (b) 4 carer and community sector members**, who may also have lived experience

Members will be appointed by the Minister for Social Services following an open Expression of Interest process.

Committee Member Responsibilities

The responsibilities of a committee member are to:

- Participate in the deliberations of the policy and business of the National Carers Strategy Committee.
- Be mindful of the strategic objectives and activities of the Committee as they relate to the development of the National Carer Strategy
- Be conscious of the Committee resources, in relation to its purpose, budget and any action plan developed, and the need for efficiency and effectiveness in the activities for which the Committee has been established.
- Be well informed on issues before the Committee, to prepare adequately for meetings and seek additional information if required.
- Read thoroughly all reports, agendas, and previous minutes prior to the scheduled meeting.
- Be mindful of the potential for a "Conflict of Interest" to occur through participation on the Committee and to declare such Interests as and when they arise.
- Support the delivery of Committee initiatives where appropriate.
- Observe confidentiality when it is required.
- Inform the Committee as soon as possible of inability to attend meetings or attend to the business actions agreed to.

Seek support as required.



Guest speakers, non-members and observers

Other Commonwealth, state and territory government departments will be consulted and informed of the progress of the development of the Strategy through the work of the Committee and broader public consultation processes.

The co-chairs may invite experts and representatives from the Carer community and sector to participate in discussions for specific agenda items, as appropriate.

Priorities and work program

The Committee will:

- (a) inform and guide the co-design approach for community engagement through the national consultation process
- (b) guide and advise on the development of the Strategy
- (c) inform an outcomes framework and action plan for the Strategy, and

inform and report to the Minister for Social Services on key issues, options and potential solutions throughout the development, finalisation and launch stages of the Strategy.

Phased development of the Strategy

The Strategy will be developed and implemented in 3 phases:

- **Phase 1**—development—this will involve an evidence base development stage to gather and analyse current research, data and evidence and will involve early consultation with stakeholders.
- **Phase 2**—national consultation process involving lived experience carers and sector representatives, and reach minority groups such as First Nations, Culturally and Linguistically Diverse and young carers with the goal to learn more about the unique needs of carers. Phase 2 will result in a final National Carer Strategy.
- **Phase 3**—launch and implementation of the National Carer Strategy that will include development of a performance monitoring and evaluation framework for the Strategy.

The specific timings of national consultations are currently being considered and the timing for the finalisation and launch of the Strategy is likely to be dependent on consultation outcomes. The Strategy is expected to be delivered by the end of 2024.

The Committee's work and priorities will be determined by the phases of the Strategy, including milestones.

Meeting frequency and format

The frequency of Committee meetings will be a minimum of once a month as outlined in the Committee Terms of Reference.

Committee face-to-face meetings will be limited to no more than 2 meetings per year unless the Committee co-chairs determine otherwise. Other meetings will be conducted through MS Teams, videoconference, or teleconference, with consideration of other remote methods for diverse needs, including accessibility, preferred communication and sensory requirements.

The Secretariat will, in the ordinary course, circulate meeting agendas and papers to Committee members one week prior to the applicable Committee meeting.



Voting and decision-making

A question or resolution proposed or arising at a meeting is determined by a majority of the votes of the Committee members present and voting.

The Committee may consider and make a decision on any matter without a meeting if all of the Committee members entitled to vote on the proposed decision sign a document containing a statement that they are in favour of the resolution set out in the document.

The document may be circulated and signed in counterparts (including by electronic means) and the resolution is passed when the last Committee member entitled to vote signs the document.

The Committee must keep a record of decisions without a meeting.

A Committee member is not entitled to appoint a proxy or alternate.

Standards of conduct and duties

Committee members must at all times:

- (a) perform their functions in accordance with all relevant laws (including work health and safety laws), these Terms of Reference and the terms of their appointment;**
- (b) act in a collegiate, collaborative and respectful manner when discussing and resolving issues;**
- (c) perform their functions with a reasonable degree of care and diligence;**
- (d) perform their functions honestly, in good faith and for a proper purpose;**
- (e) not improperly use their position or information obtained because of their role as a Committee member:**
 - (i) to gain, or seek to gain, a benefit or an advantage for themselves or any other person; or*
 - (ii) to cause, or seek to cause, detriment to the Department, Commonwealth or any other person;*
- (f) make reasonable enquiries if relying on information or advice provided by others; and**

not engage in "corrupt conduct" as defined in section 8 of the *National Anti-Corruption Commission Act 2022* (Cth).

National Carer Strategy Committee Secretariat

The Secretariat function will be provided by the Department of Social Services.

The Secretariat will provide administrative and policy support to the Committee including by:

- (a) liaising with the Co-chairs to schedule meetings, establish and circulate agendas and follow up on agreed actions;
- (b) providing advice to Committee members on procedures, practices and policy;
- (c) providing administrative and clerical support, including assisting the Committee to maintain records of meetings and decisions;



- (d) preparing drafts of reports, Committee papers, minutes and other documents as reasonably requested by the Committee;
- (e) consulting internally and externally as reasonably requested by the Committee and managing Committee correspondence and communication;
- (f) managing the resources of the Committee to enable their effective and efficient function;
- (g) maintaining a Declaration of Interests register;
- (h) ensuring all members are kept informed of issues and information relevant to the work of the Committee;
- (i) arranging venues and catering for meetings (including travel and transport);
- (j) verifying and arranging payment of associated travel costs and reimbursement of eligible expenses; and

providing any other assistance as reasonably required by the Committee.

On boarding briefing

Committee members are required to participate in an on boarding briefing to support respectful engagement and inclusion of all participants and the people they represent, including accommodation of diverse communication needs.

The Department of Social Services is responsible for arranging this as part of the first on-boarding meeting.

Remuneration for time spent working on Committee business

Members will be remunerated for the time spent working on the Committee, including pre-meeting preparation, post-meeting follow-up work, and non-meeting day travel time, provided that the member:

- is not an 'Australian Public Service (APS) full-time employee' within the meaning of the *Public Service Act 1999 (Cth)*
- is not engaged by a state or territory government

The time spent (number of hours) by members on Committee business will depend on the volume and complexity of meeting papers. This will be determined by the Department.

Sitting fees for Committee members who are not employed by the Commonwealth or a State or Territory Government will be paid using, as a guide, the rates set out in the Australian Government's *Remuneration Tribunal (Remuneration and Allowances for Holders of Part-time Public Office) Determination 2022 (the Determination)* (as amended from time to time) (<https://www.remtribunal.gov.au/offices/part-time-offices>) at:

- Part 2, section 12—Other holders of part-time public office, and
- Part 4, section 21—Calculation of daily fees.

[*Note: section 21 of the Determination will be applied to determine payments where only part of a day is spent on activities related to Committee business.*]



Travel (flights; accommodation) expenses, provisions for care recipients (person receiving care) and other expense

The Secretariat will:

- arrange flights and accommodation for Committee members, and their care recipient (as required)
- reimburse reasonable costs directly related to travel and attendance at face-to-face meetings (but only after the member and their care recipient completes the required documentation and returns it to the Secretariat); and
- arrange payment of reasonable costs for the care recipient of Committee members (while they are engaged in Committee business) that are not paid as part of the care recipient usual salary and are considered additional costs or out-of-pocket expenses for the Committee member.

The department will not pay or reimburse any costs incurred by Committee members for private business or that is covered by the care recipient's NDIS or Aged Care plan. This applies to the Committee member and the care recipient.

Deliverables and Intellectual Property

Ownership of all Intellectual Property rights in all reports, deliverables or other material created by the Committee and its members in the course of or connection with the work of the Committee will vest immediately on their creation in the Commonwealth.

For the purposes of this clause, Intellectual Property includes any:

- (a) copyright;
- (b) design, patent, trademark, semiconductor, circuit layout or plant breeder rights (whether registered, unregistered or applied for);
- (c) trade business, company or domain name;
- (d) know-how, inventions, process or confidential information whether in writing or recorded in any form; and
- (e) any other proprietary or personal rights, or licence, arising from intellectual activity in the business, industrial, scientific or artistic fields.

Confidentiality and privacy

Committee members must observe obligations for maintaining the confidentiality of information received in the course of their role.

A co-chair or member must not participate in Committee business until they have entered a Deed of Confidentiality and provided a signed copy to DSS (through the Secretariat). Members must comply with the Deed of Confidentiality.

Any personal or other confidential information received by co-chairs and members in the course of their role, must be treated with the utmost care and diligence, and must not be disclosed by the co-chair or member to anyone outside the Committee.



Co-chairs and members must observe all applicable laws (such as the *Privacy Act 1988* (Cth) and the Eligible Data Breaches Scheme under that Act), state and territory privacy laws and secrecy provisions. Confidential information may also attract equitable duties of confidentiality.

Committee members may seek advice from the Committee secretariat where they have queries about confidential information and circumstances in which it may be shared beyond the Committee.

Conflict of interest

Committee members must observe obligations for declaring conflicts of interest.

A co-chair or member must not participate in Committee business until they have provided a signed Conflict of Interest declaration to DSS (through the Secretariat).

The Committee co-chairs and members must give written notice to DSS (through the Secretariat) of all interests—pecuniary or otherwise—that the member has or acquires and that conflict or could conflict with the proper performance of the member’s functions.

A member of the Committee who has an interest, pecuniary or otherwise, in a matter being considered or about to be considered by the Committee or must disclose the nature of the interest to a meeting of the Committee (as the case requires).

The disclosure must be made as soon as possible after the relevant facts have come to the member’s knowledge. Unless the Committee co-chairs determine otherwise, the member:

- (a) must not be present during any deliberations by the Committee on the matter; and
- (b) must not take part in any decisions of the Committee with respect to the matter.

For the purpose of making a determination about the member’s further involvement in a matter, the member:

- (a) must not be present during any deliberations of the Committee for the purposes of making the determination; and
- (b) must not take part in making the determination.

A determination about the member’s further involvement if made at a meeting of the Committee—must be recorded in the minutes of the meeting of the Committee; and

If DSS determines that the person’s interests or potential interests are or would be inconsistent with their role on the Committee, the person’s appointment to the Committee will be ceased.

Reporting

The Committee does not formally report on its activities but remains accountable to the Minister and the Department, ensuring it effectively carries out its function and role.

Public reporting

The Committee has an online presence with a dedicated web page on the DSS website.

An outline of non-confidential matters discussed at each Committee meeting will be agreed by Committee members and the Secretariat. This outline will be published in an accessible format on the Committee’s web page as soon as possible following the meeting.



Additional reporting

The Department may request such additional reports from the Committee as the Department deems necessary.

Resignation

The lived experience co-chair and a Committee member may resign his or her appointment by giving the Minister for Social Services or the department a written resignation. Resignations can be provided to the Secretariat in the first instance to CarerAdvisoryCommittee@dss.gov.au.

The resignation will take effect on the day it is received by the Minister or the department.

Termination

The Minister for Social Services may terminate the appointment of a member for reasons including:

(a) for misbehaviour.

- a. It is a matter for the Minister to determine whether they consider misbehaviour has occurred. Misbehaviour may encompass misconduct and serious misconduct. Misconduct or serious misconduct in the context of the Committee may include deliberately behaving in a way that is inconsistent with continuing on the Committee. Some examples of behaviour that may be inconsistent with continuing on the Committee could include causing serious and imminent risk to the health and safety of another person; or causing damage to the reputation of the Committee or Government; engaging in theft or fraud; assault, sexual harassment; not acting consistently with the standards of conduct outlined above; or refusing to carry out a lawful and reasonable instruction

(b) if the member engages in paid employment that, in the Minister's opinion, conflicts or may conflict with the proper performance of the member's duties

(c) if the member is incapable of performing the duties or functions of a member

(d) if the Minister is satisfied that the performance of the member has been unsatisfactory for a significant period

on the substantiated advice of the Committee co-chairs.