

Committee charter

1. PURPOSE

In performing regulatory and other functions under the LPA, the Society establishes committees. The committees enable the Society to harness the expertise of the profession in upholding the standards of the profession and enhancing access to justice.

2. TRANSITIONAL MATTERS

This Charter was adopted by the Council of the Society at the meeting of 28 November 2013 and is effective from 2 January 2013.

Committees are provided with administrative support of the Society and committee members are to abide by this charter.

It is the role of Council to establish a committee system for areas of practice of benefit to members and to support the Council. The establishment and terms of reference of committees is at the discretion of the Council. Membership of committees including chairpersons positions are at the discretion of Council.

3. VALUES

In the establishment, appointment of chairpersons and members the following values shall operate as a guide to the Council and others in making recommendations with respect to committees. The Society values:

- committees that benefit members and support the work of Council and the strategic plan
- committees that maintain a balance of necessary skills and knowledge and a dynamic membership
- committees that are manageable in terms of numbers and workload
- committees that maximise profession-wide awareness of and interest in the committees and their role
- committees that are broadly representative of the Society's membership providing as many Society members as possible with the opportunity to serve as member of a committee
- committees that foster new leaders of the profession and facilitate the regular introduction of new ideas.

Applicants for membership should possess one or all of the following:

- a desire to gain knowledge and a willingness and ability to contribute to the work of the committee
- recognised standing and expertise in the profession

- recognised contribution to the profession.

Committees may include people that are not members of the Society if the Council determines it necessary or appropriate.

4. EXTERNAL COMMITTEES

The Society is frequently called upon either in the statutory instrument or the constitution of various committees to nominate members to external committees and advisory bodies including the LCA. Nominations are determined by Council and/or the Executive. It is preferred that nominees are selected from Council in the first instance and then Society committee members, prior to seeking expressions of interest from the membership.

5. COMMITTEES AT THE SOCIETY

The Society is a statutory body and membership association and is governed by its Council, with a Secretariat and establishes various advisory committees from time to time. These committees are charged with specific tasks to accomplish its policy, functional and governance responsibilities. The current committees list and terms of reference is available on the Society website.

Any committees established by Council that perform powers or functions of the Council under delegation, such delegation must be in writing. The majority of committees are legal policy and advisory committees and are established to provide expert advice and develop policy positions, guidance and submissions for reform on areas of the law and legal practice.

6. ROLE OF SOCIETY COMMITTEES

It is the role of these committees to:

- assist and provide expert advice and report to Council
- develop policy for referral to Council and implementation
- develop policy submissions to government and other organisations commenting on policy/legislative initiatives and reports by government and relevant authorities
- draw attention to law and justice issues generally and seek appropriate amendments
- provide a forum for consideration of practical problems being experienced by members and as a source of information on various issues for dissemination to members
- recommend to Council that certain preventive strategies or management systems be recommended to firms and practitioners to address any practical problems being faced by members
- develop awareness-raising initiatives in relation to legislative reform and practical problems experienced by members
- initiate or request consultation with members on issues affecting the profession.

7. ROLE OF COUNCIL WITH ITS COMMITTEES

In fulfilling its role the Council will bear in mind the values expressed in this charter.

The Council:

- decides the number of committees
- sets terms of reference
- appoints membership and a chairperson
- receives and gives due weight and consideration to the advice of committees.

8. ROLE OF CEO WITH COMMITTEES

The CEO:

- Is intended to be the bridge between the Society committees and Council on strategic and operational issues, as well as playing an integral role in facilitating good membership composition and recruitment among the committees. The CEO participates in each committee, reporting as required at Council meetings.
- Settles and signs all correspondence on behalf of the Society coming from committee recommendations.
- Seeks advice from the Executive as determined by the CEO in relation to issues that ought be considered by the Executive Committee and/or Council.
- May obtain advice from relevant committees in the execution of regulatory functions.

9. APPOINTMENT, REAPPOINTMENT AND TERM

Committee members and the chairperson are appointed (and reappointed as the case may be) by the Council, usually at the planning meeting of Council held immediately after the AGM of the Society. Ad hoc appointments can also be made.

The term of appointment of a member of a committee will be until the annual review of committees, usually at the planning meeting of Council held immediately after the AGM.

At any time committees may identify prospective committee members that it wishes to propose to the Council for consideration for appointment or re-appointment as members and/or chairperson.

The Council will consider any expression of interest for appointment at its next meeting. Each person expressing interest will be advised of the resolution of Council.

Prior to the AGM of the Council, incumbent committee members are invited to indicate their desire for reappointment as a member of the committee. An incumbent member need not provide any material to support their reappointment however, in deciding to reappoint a member/chairperson for any additional term the Council must consider:

- the values expressed in this charter
- the member's contribution to the work of the committee.

10. EXPRESSIONS OF INTEREST

Applicants may express interest at any time in joining any committee, by advising the President. From time-to-time the Society will invite expressions of interest from members of the Society to join the committees via a notice to the profession included in *The Practitioner* and published on the Society's website. It is usually of assistance for applicants to include:

- a short resume providing brief details pertinent to their experience in the field of law that the appointment is sought
- a note in any form of their desire to join the committee.

The chairperson of a relevant committee or the President may seek the advice of the committee with regard to any expression of interest. The chairperson may also convey to the President any identified matters to assist the Council comply with the values in this Charter.

The President will put the expression of interest to the Council along with any recommendation of the chairperson of the relevant committee for consideration.

11. MEMBERS

Consistent with values expressed in this charter, Society policies and Strategic Plan, a committee member assists a committee in fulfilling its role and adheres to its terms of reference. Membership of a committee is a voluntary and honorary role and members bring necessary skills and knowledge to the committee while ensuring that committee membership is broadly representative and reflects the values outlined in this charter.

At least one member should be from Council on each committee. It is the responsibility of members of committees to:

- maintain confidentiality of committee business
- participate and contribute to fulfilment of a committee's objectives
- prepare for and attend meetings and actively participate
- actively assist in the work of the committee
- undertake substantive work items as required (where possible).

If absence from a meeting is unavoidable, a member must inform the chairperson or the responsible Society staff officer in advance of their inability to attend.

12. CHAIRPERSONS

Consistent with values expressed in this charter, Society policies and Strategic Plan, a committee chairperson leads a committee in fulfilling its role and adhering to its' terms of reference.

In addition to his/her responsibility as a member, it is the responsibility of the chairperson to:

- plan and settle the agenda for meetings in collaboration with any relevant LSNT staff prior to the meeting taking place
- direct discussion at meetings and task members where necessary
- settle the minutes of each meeting
- recommend to the Council potential new committee members and to provide advice to Council on candidates expressing interest in joining the committee
- after being advised of Council's approval of new members the chairperson is to contact new members to welcome them
- to report on the work of the committee to the Council. Reports should be brief and may be written or oral
- complete a report for inclusion in the Annual Report of the Society.

13. GUESTS AND SOCIETY STAFF

Committees are encouraged to invite experts or visitors to make presentations to them on any issue of interest. Committees may have at their meetings regular or ad hoc guests, who are not members of the Society but represent an important stakeholder group, organisation or otherwise bring relevant perspectives and expertise on matters under consideration.

Guests or members of Society staff have no voting rights at meetings.

14. TERMINATION OF APPOINTMENT

A member or a chairperson may resign their position at any time.

A chairperson or member appointments may be terminated by the Council on reasonable grounds including (but not limited to), non-compliance with this charter, breach of confidentiality or that the chairperson/member has failed to attend three scheduled meetings without apology in any calendar year. In considering termination the member/chairperson must be:

- provided with the reasons for the proposed termination
- invited to provide an explanation within twenty-one (21) days.

After the expiry of twenty-one (21) days the Council at its next meeting may proceed to consider any explanation and any other relevant information and must proceed to determine to terminate the appointment of the member/chairperson, or take no further action.

15. REPORTING

Minutes of committees meetings may be reviewed by the Council at any time. It is the responsibility of the chairperson of the committee to ensure that the committee makes regular reports to Council. This ensures that the Council is aware of the work of the committees.

16. MEETINGS AND MINUTES

If possible, meeting schedules for the year are to be settled in advance and advised to all committee members. It is important that all committee members are given the opportunity to book meetings into their diaries at an early stage in the year and are given sufficient notice of any ad hoc meeting date to permit attendance.

Meetings may be moved or cancelled as required during the course of the year at the direction of the chairperson.

Committees meetings are held at the offices of the Society. Catering will be provided.

The quorum for all committee meetings is three (3) members. For the purposes of a quorum the Chairperson is to be counted as a member.

Minutes will be provided to the chairperson soon after the meeting and after the Chairperson's approval will be available to the committee.

17. POLICY SUBMISSIONS

Any submissions for reform or advocacy made on behalf of the Society must be submitted to the CEO and sent out under the CEO's hand. All correspondence will be available for Council at each subsequent meeting.

Positions on issues which have a significant impact on the Society, legal profession as a whole or a large proportion of it may require the approval of Council and should be submitted by the committee/CEO to the President for the consideration of Council.

18. MEDIA

In the interests of consistency of the Society's position, chairpersons and members of the Society's committees should not, in their capacity as chairpersons and members of the Society's committees, communicate with the media. The President and/or CEO are the primary spokespersons for the Society as detailed in the Media Policy.

19. CONFIDENTIALITY

All committee members are expected to observe strict rules of confidentiality with respect to committee business. They must be conscious that from time-to-time:

- They may be asked to consider and comment on highly sensitive documents released to the Society by government and other authorities.
- They may also be asked to consider draft policy proposals intended for debate within the committee which should not be presumed to reflect approved Law Society policy.
- They may have before them information which may affect the reputation and livelihood of solicitors and other members of the community.

Any breach of confidentiality could materially affect individuals; or damage the trust which exists between the Society and a number of institutions and organisations; or create false impressions about Society policy. It is therefore the responsibility of all committee members to maintain the security of business papers with which they have been provided and to treat

as strictly confidential any information to which his or her membership of a Society committee has provided access.

All committee members should be aware of the effect of the *Information Act* and the confidentiality provisions of the *LPA*.

20. FINANCING

All proposed expenditure must be submitted for approval to the CEO, Executive Committee or Council dependent on the amount.

21. SOCIETY SECRETARIAT SUPPORT

Society staff are assigned to provide Secretariat support to committees. Additionally, the CEO will participate in the committee as an ex-officio member. Requests for support should be directed to the CEO.

The Society will maintain a list of current committees and membership and ensure this is available on the website.

22. ACKNOWLEDGEMENT

The Society would like to acknowledge the Queensland Law Society for enabling the use of the Queensland Law Society Committee Charter 2010 in the development of this charter.

Further information, including current committees see:

<http://www.lawsocietynt.asn.au/about-lsnt/committees-1.html>

23. TELECONFERENCE PROTOCOL

This protocol is designed to assist committee chairpersons and conference attendees in attending meetings by telephone.

23.1. Telephone

All parties attending the meeting by telephone link, or in person, should be ready for the meeting five minutes prior to its commencement.

The chairperson should ensure that the doors of the meeting room are closed to reduce noise levels. The chairperson should also:

- Commence the meeting by introducing all the members present in person and if applicable, any other parties attending by telephone link.
- Act as the 'voice traffic controller' and be responsible for keeping the meeting moving and on track.
- Ensure every member attending by telephone is able to follow the meeting by clearly identifying agenda items.
- Assist telephone attendees when referring to documents e.g. page number, paragraph, particular heading.
- Specifically invite telephone attendees to comment or vote on contentious matters.
- From time-to-time, ask telephone attendees to provide an opinion on a subject.

- If last-minute documents are to be discussed, then the chairperson should confirm that all attendees have a copy. If this is not the case, and it is impossible for parties to obtain a copy, then specific reference is to be made to the various paragraphs that are relevant to the discussion and, if necessary, state the paragraph verbatim.
- Endeavour to keep side conversations to a minimum as a remote teleconference participant hear 'babbling' in the background and it is difficult to distinguish the actual speaker from the other noise.

Particularly where there are multiple parties attending by telephone at various locations participants should:

- state their name so attendees are able to recognise who is speaking
- if arriving or leaving the conference, should state this audibly.

When a party attending the conference via telephone link is not speaking, they should use the mute key to minimise the amount of external noise.