



FISHERIES ADVISORY GROUPS

- MEMBERS HANDBOOK -

(DECEMBER 2017)

TABLE OF CONTENTS

1. INTRODUCTION	3
2. APPOINTMENT.....	3
3. CONDUCT.....	3
3.1 PROFESSIONAL CONDUCT.....	3
3.2 INAPPROPRIATE BEHAVIOUR	4
3.3 CONFLICTS OF INTEREST	4
4. MEETINGS	5
4.1 ADMINISTRATIVE SUPPORT	5
4.2 SCHEDULING MEETINGS.....	5
4.3 AGENDA	5
4.4 INABILITY TO ATTEND A MEETING	5
4.5 MEETING ETIQUETTE	5
4.6 MEETING OUTCOMES.....	6
5. WEBSITE	6
6. COMPLAINTS AND DISPUTE RESOLUTION.....	6

1. Introduction

The purpose of fisheries advisory groups is to assist in developing sound policies and decisions to manage the fisheries resources and ecosystems of NSW, in accordance with the objects of the *Fisheries Management Act 1994* which are to “conserve, develop and share the fishery resources of the State for the benefit of present and future generations”.

Advisory groups are established on an as-needs basis by the Deputy Director General, Department of Primary Industries Fisheries (DDG DPI Fisheries), under policy TI-O-146. They allow the Department to tackle priority issues in a flexible and efficient way, by:

- drawing on the significant experience and knowledge of stakeholders and experts,
- providing a structured approach to addressing significant, complex and/or contentious issues, and
- considering, and where possible reconciling, the differing views and expectations of various stakeholder groups.

Advisory groups are expertise-based to ensure that the Government receives the best advice on the issue at hand. They do not make decisions.

Members are selected on the basis of their expertise, experience, skills and ability to add value to the discussion. Membership carries certain responsibilities and requires a commitment of time and effort, but allows you to review important issues and have input into proposed solutions.

2. Appointment

Upon selection, you will have received a letter of appointment along with:

- this Handbook,
- the terms of reference of the advisory group, and
- the NSW Government Boards and Committees Guidelines.

These documents explain important aspects of the way these groups operate and your rights and responsibilities as a member.

You will be asked to acknowledge in writing that you have read, understood and accepted all three documents prior to the first meeting.

3. Conduct

Members who serve on fisheries advisory groups have an obligation to act and advise in the ‘broader interest’ and not simply to advance their own personal interests. It is essential for members to demonstrate standards of conduct and ethics that promote the confidence and trust of DPI and the public.

The relevant DPI Fisheries Director may dismiss any member who fails to behave in an appropriate and ethical way, breaches the NSW Government Boards and Committees Guidelines or engages in any serious misbehaviour (including criminal conduct or any offence under the *Fisheries Management Act 1994* or regulations).

3.1 Professional conduct

As a member of a fisheries advisory group, you are expected to:

- treat other advisory group members and DPI staff with respect and courtesy;
- express your views clearly and concisely;
- display a cooperative approach to discussion, and be prepared to negotiate to reach a consensus on the best possible outcomes;
- not reject solutions simply because they do not directly benefit yourself or your interest group;
- be prepared to observe confidentiality and exercise tact and discretion when dealing with sensitive issues;
- be prepared to make the necessary time commitment to ensure you have understood the topics under consideration by the group; and
- be prepared to consult with others in your interest group (eg. fishery or sector), in order to understand and present other points of view.

A cooperative approach to discussion is essential. There will inevitably be disagreement on issues being discussed by the group. However, consensus can usually be reached by discussion and negotiation and by focusing on the best outcome for fisheries resources, industry and the public.

3.2 Inappropriate behaviour

At all times you must refrain from:

- discrimination against any person because of race, ethnic or national origin, sex, age, marital status, pregnancy, disability, transgender grounds, sexual preference, political or religious beliefs. Such discrimination may be unlawful;
- bullying, which means behaviour that is repeated, unwelcome and unsolicited, considered offensive, intimidating, humiliating or threatening by the recipient or others who are witness to or affected by it; and
- other inappropriate behaviour, such as harassment, vilification or victimisation, or aiding or permitting any bullying, discrimination, harassment or other such conduct.

3.3 Conflicts of interest

Members of advisory groups are selected for their expertise and skill in areas relevant to the issues under discussion. As a consequence there is the potential for conflicts to arise between a member's duties to the group and their personal interests (or the interests of an associate or close relative). Some examples of potential conflicts of interest are outlined in section 7.4 of the NSW Government Boards and Committees Guidelines, which you should also read.

Because it is important for advisory groups to be objective and transparent in the way they consider issues and develop advice, any conflicts of interest need to be fully disclosed. Accordingly, each advisory group will maintain a Register of Interests where members' interests will be recorded and which can be updated at each meeting.

However, because these groups have an advisory (rather than decision-making) role and rely on the skills and expertise of their members, it is not proposed to incorporate strict rules regarding conflicts of interest. The only occasion where conflict of interest rules may apply is where a member stands to benefit financially from a matter under discussion. Where such a conflict arises, the member must disclose the nature of the interest to the advisory group. The particulars of such a disclosure must be recorded in the Register of Interests. The Chair must determine the most appropriate course of action to deal with the matter, eg:

- Excluding the member from the meeting room for the duration of discussion on the matter; or

- Allowing the member to remain in the room, but not to participate in any discussion relating to the matter; or
- Allowing the member to participate in discussions on the matter but not take part in any decision-making.

If in any doubt about a potential conflict of interest or other ethical issue, you should discuss the matter with the Chair of the advisory group.

4. Meetings

4.1 Administrative support

DPI will provide an Executive Officer to administer the advisory group, including organising meetings, making (or assisting with) travel arrangements, preparing documents for meetings, organising reimbursement of members' expenses etc. The Chair is responsible for running meetings and ensuring the advisory group stays focused on its role and objectives. Members should generally always email both the Executive Officer and the Chair regarding advisory group matters, unless it is a purely administrative issue in which case the Chair does not need to be included.

The relevant DPI Fisheries Director is responsible for approving paperwork, documentation and expenditure associated with the advisory group but will not normally be directly involved in the running of the group and should not be the first point of contact for members.

4.2 Scheduling meetings

DPI will provide advance notice of the planned date, time and location of meetings. Effort will be made to schedule meetings to suit the majority of members, although no guarantees can be provided for any individual member.

4.3 Agenda

A draft agenda will be circulated prior to the meeting. You may wish to propose items for discussion by contacting the Chair and Executive Officer. Proposed items must fall within the terms of reference of the group. The decision on whether or not to include an item rests with the Chair. Any proposed agenda item must be accompanied by a reasonable written explanation of the issue (at least one paragraph) and, where appropriate, a proposed outcome or recommendation for the group to consider.

A final agenda and supporting documents will be circulated to allow sufficient time for consideration by members, generally at least 1 week prior to the meeting.

4.4 Inability to attend a meeting

If you are unable to attend a meeting, you should advise the Chair and Executive Officer as soon as possible. If you wish, you may ask the Chair to convey your views on a particular agenda item, preferably (for the sake of accuracy) by putting these views in writing.

4.5 Meeting etiquette

Along with other members, you share the responsibility for dealing with agenda items in ways that allow for meaningful debate but do not waste time. Therefore you should make all reasonable efforts to:

- come to meetings well prepared;
- discuss any points that you need clarified beforehand with DPI staff;

- focus your comments on the points being debated;
- be aware of time constraints; and
- behave courteously towards fellow members.

Conventional rules of debate apply. Meetings will be conducted in an orderly fashion, with good manners and common decency. All debate must be through the Chair. The Chair has the right to request any disruptive member to leave the meeting for a specified period. Repetitive disruption may lead to the person being dismissed from the advisory group.

4.6 Meeting outcomes

DPI is responsible for recording outcomes (including recommendations) of each meeting. The draft outcomes (including any action list) will be circulated to members as soon as possible after the meeting giving you an opportunity to correct any errors before they are finalised. If you have any concerns, you will generally have 5-10 working days to provide comments in writing to the Chair. The draft outcomes are confidential and must not be copied or distributed.

Once any errors have been corrected, the draft outcomes will be adopted at the next meeting.

Advisory group discussions will generally always aim to reach consensus. However on occasions where consensus cannot be achieved, the group may make a recommendation based on the majority view with alternative / dissenting views also recorded.

5. Website

Information about the advisory group will be placed on the DPI (Fishing and Aquaculture) website. This may include a list of members.

Note: By acknowledging in writing your acceptance of this Handbook you are consenting to the publication of your name (and if relevant, affiliation) on the NSW DPI website. Please advise the group's Executive Officer if you do not consent to the disclosure of your name in this manner.

On occasion DPI and the advisory group may decide that an issue being considered by the group needs input from the broader industry or community. In these cases an invitation to comment will be posted on the website, subject to approval by the relevant DPI Fisheries Director. DPI will circulate any comments received to all members of the group for consideration.

Unsolicited comments or input received at other times will also be circulated to members for consideration.

6. Complaints and dispute resolution

If you have or receive a complaint relating to the advisory group, you should in the first instance refer it to the Chair, or if the complaint relates to the conduct of the Chair, to the relevant DPI Fisheries Director.

If the complaint is of a serious nature (eg. alleged misconduct, corruption or criminal activity) it must be referred immediately to the relevant authorised officer or body for formal investigation. Instances of possible corruption are required to be notified and investigated in accordance with the provisions of the *Independent Commission Against Corruption Act 1988*. Suspected criminal acts are referred to the Police.

Less serious concerns may relate to disputes or disagreements between advisory group members, poor (though not corrupt or criminal) behaviour or performance of staff, or procedural, policy or administrative matters.

In most cases the Chair or Director will attempt to resolve the complaint or dispute informally, through private discussion and negotiation with those involved. In these instances advisory groups members are asked to display the same courteous and cooperative approach to resolving these issues as they are to other aspects of their participation in the advisory group. Options for resolving a complaint or dispute informally may include:

- seeking more information to clarify the issue;
- discussing the problem with those directly involved or responsible;
- canvassing other members of the advisory group to see if they share similar views;
- raising the issue for discussion and resolution at the next meeting; and/or
- seeking an agreement by one or more of those involved to modify their behaviour.

If this process fails, the complaint will be dealt with formally under the NSW Department of Industry Complaints handling policy (see policy TI-A-134 on the NSW Department of Industry website).

Note that the DDG DPI Fisheries has the right to dismiss complaints that he or she considers to be spurious or vexatious, after evaluating all the available facts and using his or her best judgement.