



**Expression of Interest
Audit & Risk Committee
External Independent Member
February 2024**

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Background

Moira Shire Council (Council) has established an Audit & Risk Committee (the Committee) pursuant to 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 the Audit and Risk Committee Charter, which can be found on our website at moira.vic.gov.au/auditcommittee.

The appointment of a majority of external 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.

When a vacancy arises within the external independent membership, Council invites expressions of interest from suitably qualified and experienced persons to fill the position.

Moira Shire Council

Moira Shire is strategically positioned on the iconic Murray River, two and a half hours north of Melbourne and close to major regional centres. It covers an area of 4,045 square kilometres and is bounded by the Murray, Goulburn and Ovens rivers.

The Shire is home to a variety of agricultural industries including horticulture, cereal, oilseed, livestock, and dairy production.

The Council is made up of two parts, including:

1. A Panel of Administrators appointed by the Minister to act in the role of Mayor and Councillors; and
2. The Organisation, made up of over 200 employees.

Council plans and delivers over 50 services to its local community in health, planning and building control, business and economic development, waste and environmental management and community services.

The Administrators set 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 and must responsibly manage these finances in order to provide the services and facilities that are needed.

Audit & Risk Committee

The Committee consists of a maximum of five external independent members and two Administrators. The Chair Administrator can also participate as an ex-officio member.

The Chief Executive Officer and selected members of the Executive Leadership team as well as council's Internal Auditor (appointed by contract) attend all meetings which are held five times a year at a minimum. VAGO's (Victorian Auditor-General's Office) external audit representative attends selected meetings to present the audit plan and the statutory audits of the financial statements and performance statement. Other members of staff are also invited to attend meetings to present reports that assist the Committee to discharge its responsibilities.

It is 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.

External Independent member role

Functions and responsibilities

An external 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

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 an Administrator as if the member were a member of a delegated committee.

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 as a result 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

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

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.

Eligibility

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

- The applicant must not be a member of Moira Shire Council staff
- The applicant must not be a previously elected member of the Moira 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

Selection criteria

The external independent members of the committee must collectively have expertise in financial and risk management, experience in public sector management and a desirable skill set in environmental, social and governance policies and practices. The selection of the successful applicant will aim for this collective outcome through consideration of the following selection criteria:

- a relevant degree or qualification
- expertise in financial management
- expertise in risk management and fraud prevention with demonstrated understanding of current and emerging risks and best practice controls
- expertise in identifying climate and sustainability risks and opportunities
- experience in public sector management
- experience related to internal and external audit functions
- strong interpersonal and communication skills

Having senior experience in corporate governance and an awareness of the complexity of local government service delivery and infrastructure challenges would be desirable.

Term of appointment

Council is offering an initial term of appointment of 3 years. An external independent member may be appointed for up to 2 consecutive terms.

Meetings

The Committee meets 5 times per year at a minimum with additional meetings scheduled as required.

Committee meetings can run for up to 3 hours on the scheduled meeting day and are held at the Council Offices in Cobram. In-person attendance is preferred with virtual attendance available upon approval by the Chair.

Remuneration

The remuneration allowance for external independent members is paid per attendance of each meeting.

The fees below have been set by Council for the next four year period. Travel expenses are also paid based on the ATO rates upon receipt of a claim for reimbursement.

Year	Chair	External Member
2023	\$800	\$600
2024	\$850	\$637.50
2025	\$900	\$675
2026	\$950	\$712.50

Expression of interest process

Requirements

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

- a cover letter addressing the eligibility requirements and selection criteria; and
- a current resume including 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.

Submissions

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

Submissions will be accepted electronically or via post by **4pm Friday 1 March 2024**

Postal address	Moirā Shire Council PO Box 578 COBRAM VIC 3644
Email address	info@moira.vic.gov.au
Subject Line or Postal Marking	“Confidential Application External Independent Member Audit & Risk Committee”

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	EOI activity
16 February 2024	Advertised on Council website, LinkedIn, Seek and local papers
1 March 2024	EOI's close at 4pm
16 March 2024	EOI's reviewed, short-listed and short-listed applicants invited for interviews
27 March 2024	Council resolution to appoint a new independent member
28 March 2024	Successful applicant notified & terms agreed and executed
April 2024	New independent member on-boarding & induction
9 May 2024	New independent member attends the Audit & Risk Committee meeting

Evaluation

The Chief Executive Officer and Chair Administrator will evaluate the applications and may seek assistance from the Audit and Risk Committee or an Executive Officer.

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

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 committee members or Administrators
- 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

Withdrawal of an expression of interest

An applicant may withdraw a previously submitted expression of interest, by notifying Council in writing and Council will then cease to consider that application.

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.

Contact person

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

Item	Detail
Name	Nancy Mustica
Position title	Acting Manager Governance, Risk and Performance
Email address	nmustica@moira.vic.gov.au

Advertisement

Expression of Interest

Moir Shire Council Audit and Risk Committee

Moir Shire Council is seeking expressions of interest for suitably qualified external independent members to join the Audit & Risk Committee in April 2024 for an initial term of three years.

The Audit and Risk Committee is an independent Advisory Committee established in accordance with the *Local Government Act 2020* to provide oversight and appropriate advice to Council on the effective conduct of its responsibilities for financial and performance reporting, risk management and fraud prevention, internal controls and facilitating the organisations ethical and sustainable development.

The Committee 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 moira.vic.gov.au

As part of the expression of interest, applicants are required to provide evidence of a relevant degree or qualification and demonstrate experience in the fields of finance, risk, governance, audit and public sector management. Expertise in identifying climate and sustainability risks and opportunities is also desirable.

An information pack including the role description, eligibility requirements and selection criteria is available to assist prospective applicants. This can be downloaded at www.moira.vic.gov.au/auditcommittee.

Further details on how to submit your expression of interest are provided in the information pack. Applications close at 4.00pm on 1 March 2024.