

Department of Health

health

# Community advisory committee guidelines for Class A cemetery trusts

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# Foreword

In July 2008, the Victorian Government announced a number of changes to the cemeteries and crematoria sector. In October 2009, the Cemeteries and Crematoria Amendment Bill 2009 was passed by the Victorian Parliament to give effect to these changes. The *Cemeteries and Crematoria Act 2003* (incorporating amendments as at 1 March 2010) created Class A and Class B cemetery trusts in Victoria.

Class A cemetery trusts will operate under a common governance framework and be expected to meet a range of statutory obligations and responsibilities as outlined in the *Cemeteries and Crematoria Act 2003* (the Act) including the requirement to establish a community advisory committee.

It is expected that each community advisory committee will assist their Class A cemetery trust to facilitate community engagement and ensure they are attuned to the needs and preferences of the communities they serve. They will also assist in ensuring that the cemetery trusts services and policies are informed by community input such as local knowledge, as well as religious, cultural and heritage perspectives.

The Department of Health's *Community advisory committee guidelines for Class A cemetery trusts*, August 2010, provides a detailed overview of the requirements for Class A cemetery trusts in establishing and operating their community advisory committee.



**Fran Thorn**  
**Secretary**  
**Department of Health**

# 1. Introduction

The community advisory committee (CAC) guidelines are designed to assist Class A cemetery trusts to establish effective CACs that can inform on consumer and community views in relation to the provision of cemetery trust services.

Under sections 18D to 18G of the *Cemeteries and Crematoria Act 2003*, CACs are to be established by Class A cemetery trusts in Victoria. Section 18D of the Act states:

1. For the purpose of liaising with communities to which a Class A cemetery trust provides cemetery or crematoria services, a Class A cemetery trust-
  - a) must appoint one community advisory committee; and
  - b) may appoint any additional community advisory committees it considers appropriate.
2. A Class A cemetery trust must establish a community advisory committee referred to in subsection (1)(a) within 12 months of the Class A cemetery trust becoming a Class A cemetery trust.
3. A Class A cemetery trust must include in its annual report of operations a report on the activities of its CAC.

# 2. Purpose and role

## Purpose

CACs will be established in Victorian Class A cemetery trusts to ensure consumer and community views are canvassed in relation to cemetery trust services.

## Role

A cemetery trust's CAC has two critical roles:

- to provide **advice** in relation to the integration of consumer and community views at all levels of the cemetery trust's operations, planning and policy development
- to **advocate** to the trust on behalf of the community and consumers.

The CAC is a high-level committee, appointed in an advisory capacity to the Class A cemetery trust. It has no executive authority.

The CAC:

- provides a mechanism for consumer and community engagement in the cemetery trust services
- provides strategic advice, from consumer and community perspectives, in relation to cemetery trust services to the community, including major initiatives and changes
- advises the cemetery trust on community issues in relation to its communication with the communities it serves.

## Implementation

The cemetery trust and the CAC have different but complementary roles.

The **cemetery trust** has a responsibility to:

- develop performance indicators that evaluate the effectiveness of consumer engagement initiatives
- establish terms of reference for the CAC (draft terms of reference at Appendix1)
- ensure those appointed to the CAC are able to represent the views of the communities served by the cemetery trust
- ensure the CAC is kept informed about the cemetery trust's major strategic issues and developments

# 3. Accountability and reporting

- seek advice from the CAC on issues as required
- initiate the development of a community engagement plan with the CAC
- initiate a biennial review of the CAC
- ensure sufficient resources are available to implement the community engagement plan
- promote the value of consumer and community engagement in cemetery trust services
- ensure the trust's strategic plan is made available to the CAC.

The **CAC** has a responsibility to:

- comply with the committee's communication protocol<sup>1</sup>
- advise the cemetery trust on consumer and community views in relation to service delivery, planning and policy development
- identify and advise the cemetery trust on priority areas and issues requiring consumer and community engagement
- provide input into the cemetery trust's strategic planning process
- provide practical advice that takes into account the trust's financial, legal and statutory obligations
- develop a strategic community engagement plan for approval by the cemetery trust
- advocate on behalf of the community
- facilitate communication between consumer and community groups and the cemetery trust.

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<sup>1</sup> The communication protocol will establish guidelines for the CAC members in relation to their communication with internal and external stakeholders.

## Key requirements

The CAC is accountable to the cemetery trust. The cemetery trust is accountable to the Minister for Health. The Department of Health is responsible for administering the Act and overseeing implementation of government policy relating to the cemeteries sector.

The cemetery trust is responsible for:

- consulting with the CAC in relation to major strategic changes to policy or services to the community
- implementing effective community engagement strategies
- reporting on the activities of its CAC in its annual report of operations
- forwarding details of the CAC's terms of reference and membership (when established) to the Department of Health
- monitoring the CAC's community engagement plan and reporting annually on the activities of the CAC to the Department of Health
- ensuring that executive staff members whose roles have a clear link to consumer engagement have relevant benchmarks included in their performance assessment.

## Implementation

The cemetery trust will receive and review the minutes of CAC meetings and, where appropriate, provide feedback to the CAC.

The cemetery trust, in consultation with the CAC, should establish formal processes of reporting and communication between itself and the CAC.

The parameters within which CAC members may communicate information about the cemetery trust's services to the community should be agreed and documented. This agreement will need to take into account issues such as:

- the expectation that members of the CAC will advise the cemetery trust on strategies for communicating with the community
- the need to establish long-term working relationships between the CAC and the trust based on mutual respect, trust and confidence.

# 4. Membership

## Key elements

Members of CACs contribute specialist knowledge and expertise by providing consumer and community perspectives. Members should be active in the community, with strong community networks and a sound understanding of local or regional issues.

Members need to have the capacity to reflect on and present community issues, rather than focusing on personal concerns or individual issues only.

In appointing members to a CAC, a trust must give preference to people who are:

- not funeral directors, stonemasons or holders of a similar position
- not registered cemetery providers or directly involved in the provision of cemetery sector services
- not currently employed or engaged in the provision of cemetery sector services.

Appointment to a CAC is non-delegable and must be in line with the Act.

Members of a CAC may not:

- give direction to trust staff
- make decisions in relation to trust expenditure
- make public comments on behalf of the trust
- enter into any contract or hold themselves out to represent the trust in any capacity.

## Implementation

### Recruitment

Potential members of the CAC should be provided with sufficient information to ensure they have a clear understanding of the membership role and responsibilities.

Cemetery trusts should develop an information package incorporating information about the role, responsibility and support available to the CAC and its members. This package should be available for distribution to anyone that has expressed interest in membership.

Where the CAC has been established for some time, potential new members should be encouraged and provided with the opportunity to observe current CAC meetings.

### Selection criteria

The CAC should comprise up to 10 members who are appointed by the cemetery trust. Composition will include two internal trust members, one of whom will act as the chairperson.

Criteria for selection of CAC members should be determined by the cemetery trust, and should include the following considerations:

- Members of the CAC should reflect the perspectives of the communities served by the cemetery trust, and bring to the CAC knowledge of the views and beliefs of relevant community groups
- Members should have some connection to established formal or informal community or consumer networks, although appointment of individual consumers with the capacity to develop such links should also be considered.

### Selection process

- Applicants for CAC membership should be sought through a range of strategies, including:
  - open advertisements
  - seeking recommendations of individuals from peak bodies
  - directly approaching individuals who have appropriate experience as consumers or community members.

The selection process for appointment to the CAC must be fair and transparent. The process must ensure that individuals or groups are informed about the committee and the selection process, and that prospective members are encouraged to apply.

Cemetery trusts will need to define the constituency of the communities they serve and try to ensure that the diversity in their communities is reflected in the composition of the CAC.

### Terms of appointment

To ensure continuity and viability of the CAC membership, initial appointments should be for two or three years, with the opportunity for reappointment for a further period of up to three years. Cemetery trusts may also consider strategies such as staggered terms, allowing appointment for two consecutive terms of office, and requiring members

## 5. Resources

to have a one-year break after two terms before they are eligible to be reappointed.

Cemetery trusts will send letters to CAC members confirming their individual terms and conditions of appointment.

### Attendance at meetings

CAC meetings may be attended by non-members from time to time. The following points outline who may attend CAC meetings:

- The committee chairperson may invite other members of management or staff or parties external to the cemetery trust (such as providers of cemetery services including funeral directors and stonemasons) to attend a committee meeting as a resource (for example, to provide specialist advice)
- Non-members of the committee may be asked by the committee chairperson to withdraw for all or any part of any meeting
- An appropriate trust staff member will attend each meeting as a minute-taker.

A clear majority of the people present at each CAC meeting should be committee members.

The CAC will need to be provided with a baseline audit of community engagement activities across the cemetery trust's operations in order to develop and progress the community engagement plan.

A senior trust manager shall be appointed to ensure the CAC has adequate access to qualified personnel to assist with undertaking research, assisting in the development of community networks and drafting submissions and responses on the committee's behalf. Assisting the CAC should be a key responsibility of such staff.

Where possible and if deemed necessary, an appropriately qualified community development officer or similar may be appointed by the trust to provide assistance to the CAC.

### Secretariat

The trust will provide limited secretariat support to the CAC through the provision of an executive support officer or other cemetery trust staff as determined by the chief executive officer.

### Finance

In its overall budget planning process, the cemetery trust should plan for the implementation of the community engagement plan, and ensure adequate funds are allocated where appropriate.

### Meeting place

CACs are comprised of volunteer members who will meet as agreed by the cemetery trust and the CAC members. The terms of reference will reflect the agreed frequency and length of meetings. The activities of the CAC may be constrained by time. It is therefore essential that the CAC develop a clear focus for its efforts through an annual work plan. The cemetery trust will support the CAC by:

- providing access to car parking
- scheduling meetings at mutually agreed times suitable for the members
- providing adequate refreshments
- reimbursing costs incurred by committee members in their responsibilities, such as travel and any other reasonable expenses.<sup>2</sup>

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<sup>2</sup> The cemetery trust will determine what constitutes reasonable expenses, their decision is final.

# 6. Evaluation and monitoring

## Orientation

Adequate orientation is essential to the success of the CAC. Each cemetery trust should develop a formal orientation program that can be delivered flexibly to meet the needs of its CAC members. At minimum, this should include an:

- orientation to the cemetery trust organisation
- outline of the role of the cemetery trust
- introduction to the cemetery trust's code of ethics and conduct and/or communication protocol
- introduction to the senior management team of the cemetery trust
- overview of local issues, services and initiatives
- overview of any existing or former consumer or community engagement undertaken by the cemetery trust.

In addition, the cemetery trust may provide relevant training or workshops to CAC members when appropriate.

Members should be encouraged to observe other CACs in action and learn about their activities where appropriate.

## Key requirements

The CAC will need time to develop methods to monitor the implementation of the community engagement plan.

Cemetery trusts should undertake, in consultation with their CAC, regular audits of consumer and community engagement. For established CACs, the auditing of consumer engagement across the cemetery trust should be integrated into audit and evaluation activities.

## Implementation

The CAC and the cemetery trust should undertake an annual review of the CAC. The results of this review should be recorded in the cemetery trust's annual report and should include information pertaining to the attendance for all members, quorum for scheduled meetings, processes and issues for consideration by the CAC.

If any of these requirements have not been met, the cemetery trust should investigate the reasons and review the CAC processes. The cemetery trust may need to consider providing additional resources to the committee or to seek assistance with this work.

# Appendix 1: Community advisory committee draft terms of reference

## 1. Purpose

The purpose of the (insert name) Cemetery Trust Community Advisory Committee (CAC) is to provide advice and guidance to the trust to assist in carrying out its community engagement responsibilities, as well as its statutory requirements as stipulated in the *Cemeteries and Crematoria Act 2003* (the Act).

## 2. Objective

- 2.1 To ensure that community and consumer views are considered in the planning and delivery of cemetery trust services.
- 2.2 To provide advice in relation to the integration of consumer and community views at all levels of cemetery trust operations, planning and policy development.

## 3. Responsibilities

- 3.1 Advise the (insert name) Cemetery Trust on strategies to enhance and promote effective consumer and community engagement, assisting the (insert name) Cemetery Trust in carrying out its responsibilities and commitments as they relate to consumer and community engagement and its impact on service outcomes.
- 3.2 Advocate to the (insert name) Cemetery Trust on behalf of consumers and the community and advise the (insert name) Cemetery Trust on priority areas and issues requiring consumer and community input and involvement.
- 3.3 In consultation with the (insert name) Cemetery Trust, develop a community engagement plan for consideration by the trust and monitor implementation and effectiveness of the approved plan.
- 3.4 Monitor the implementation of (insert name) Cemetery Trust's strategic plan as it relates to consumer engagement.

## 4. Membership

### 4.1 Composition

- a) As determined by the (insert name) Cemetery Trust and in accordance with the Act, the CAC shall comprise members whose skills and experience reflect the particular needs and interests of a broad range of consumers and communities, including people from diverse backgrounds such as emerging communities.

- b) The (insert name) Cemetery Trust will give preference to members who are:

- not funeral directors, stonemasons or the holders of a similar position
- not registered cemetery providers or directly involved in the provision of cemetery sector services
- not currently employed or engaged in the provision of cemetery sector services.

- c) Members will:

- be aged 18 years or over
- be provided with an induction and access to mentoring support upon their appointment
- receive reimbursement of travel and parking costs incurred by participating in meetings of the CAC or related advisory or reference groups.

- d) Members may not:

- give direction to trust staff
- make decisions in relation to trust expenditure
- make public comments on behalf of the trust
- enter into any contract or hold themselves out to represent the trust in any capacity.

### 4.2 Members

- a) Trust members (as determined by (insert name) Cemetery Trust)
  - Up to two (one of which will act as chair of the CAC)
- b) Community representatives
  - Up to eight external members shall be appointed with consideration given:
    - specific population groups (religions, cultures, age)
    - people from culturally and linguistically diverse backgrounds
    - people with a disability or access issues
    - representatives from the local community
    - consumers of the cemetery's products and services (consumer advocate).

### 4.3 Terms and vacancies

- a) All appointments made by (insert name) Cemetery Trust are for up to three years.
- b) Appointment to a CAC is non-delegable and must be in line with the Act.
- c) Term of appointments will vary to ensure continuity.

- d) (insert name) Cemetery Trust should appoint a person to fill a vacancy in the membership within three months of the vacancy arising where possible and if deemed necessary by the CAC and/or (insert name) Cemetery Trust.
- e) (insert name) Cemetery Trust may consider the termination of a CAC member upon advice from the committee. Termination of a CAC member must be based on reasonable grounds.

#### 4.4 In attendance

- a) The committee chairperson may invite other members of management or staff or parties external to the cemetery trust (such as providers of cemetery sector services – funeral directors and stonemasons) to attend a part or full committee meeting as a resource (for example, to provide specialist advice).
- b) Non-members of the committee may be asked by the committee chairperson to withdraw for all or any part of any meeting.
- c) An appropriate trust staff member will attend each meeting as a minute-taker.

## 5. Meetings

### 5.1 Frequency

- A minimum of (insert number) meetings per year for (insert number) hours each meeting
- Members are required to attend at least seventy five percent of the scheduled meetings annually unless prior approval is sought from the chair with a valid reason for the leave of absence.

### 5.2 Quorum

A quorum shall consist of over 50 per cent of appointed members present at the meeting, one of whom shall be the committee chair or a nominee of the committee chair. A clear majority of sitting members shall be consumer/ community representatives.

### 5.3 Agendas

- a) The committee chair is responsible for developing the agenda for committee meetings in conjunction with the cemetery trust CEO.
- b) Items for the agenda shall be submitted two weeks prior to the meeting date.

- c) The agenda will be circulated together with relevant meeting papers the week prior to the meeting date.
- d) All communication pertaining to the CAC must be undertaken through the committee chair.

### 5.4 Minutes

- a) Proceedings, findings and recommendations of all CAC meetings must be minuted.
- b) Draft minutes shall be distributed to all members no later than 21 days following the meeting unless otherwise agreed by the CAC.
- c) Minutes are approved by the CAC at its subsequent meeting.

## 6. Confidentiality

- 6.1 Members will be subject to the confidentiality requirements of (insert name) Cemetery Trust.
- 6.2 Members are responsible for ensuring that the individual confidentiality and privacy of consumers and community members and their issues, as discussed within meetings, is maintained.
- 6.3 Release of information relating to (insert name) Cemetery Trust services development and management shall be authorised by the chair of the cemetery trust.

## 7. Reporting

- 7.1 The CAC chair or the chair of the meeting must report the findings and recommendations of the committee to the (insert name) Cemetery Trust after each CAC meeting.
- 7.2 The CAC's formal report and feedback to the (insert name) Cemetery Trust is through its meeting minutes.
- 7.3 Membership and activities of the CAC will be reported in the cemetery trusts annual report.

## 8. Outcomes

- 8.1 Develop and implement a community engagement plan.
- 8.2 Develop an annual work plan that reflects the community engagement plan outcomes.
- 8.3 The CAC will conduct an annual performance self-evaluation regarding its functions.

# Appendix 2: Key reference documents

*Cemeteries and Crematoria Act 2003.*

Department of Human Services 2004, *Cultural diversity guide: multicultural strategy*, Policy and Strategic Projects Division, State Government of Victoria, Melbourne, <[www.dhs.vic.gov.au/multicultural/index.htm](http://www.dhs.vic.gov.au/multicultural/index.htm)>.

Department of Human Services 2005, *Participation indicators – participation in your health service system: Victorian consumers, carers and the community working together with their health service and the Department of Human Services*, State Government of Victoria, Melbourne.

Department of Human Services 2006, *Doing it with us not for us – participation in your health service system: Victorian consumers, carers and the community working together with their health service and the Department of Human Services*, State Government of Victoria, Melbourne.

Department of Human Services 2006, *How to develop a community participation plan*, Rural and Regional Health and Aged Care Services Division, State Government of Victoria, Melbourne.

Health Issues Centre 2006, *Making space for the consumer voice in quality and safety a resource guide for community advisory committees in public health services*, Health Issues Centre, Melbourne.

Australian Government 2008, *Stakeholder Engagement, practitioner Handbook*, Department of Immigration and Citizenship.

Australian Government 2009, *Community Engagement in Natural Resource Management*, Department of the Environment, Water, Heritage and the Arts.

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