



**Mental Health  
Commission**



**Alcohol and Other Drugs  
Advisory Board**



# **Alcohol and Other Drugs Advisory Board**

## **Terms of Reference**



# Alcohol And Other Drugs Advisory Board: Terms of Reference

## 1. Purpose and Functions of the Alcohol and Other Drugs Advisory Board

The Alcohol and Other Drugs Advisory Board (AODAB) is established pursuant to s.14 of the *Alcohol and Other Drugs Act 1974* (the Act) to provide advice to the CEO (the Mental Health Commissioner [Commissioner]) about matters relevant to performance of functions under section 11.1 - the functions of the CEO - which include:

- a) to provide assessment, treatment, management, care and rehabilitation of persons experiencing alcohol or other drug (AOD) use problems or co-occurring health issues, including persons who have or may have a mental illness, and to subsidise and otherwise support, as the CEO thinks fit, any other persons or organisations providing any one or more of those things;
- b) subject to the Minister consent, to establish and maintain premises for the assessment, treatment, management, care and rehabilitation of persons experiencing AOD use problems or co-occurring health issues, including persons who have or may have a mental illness, and to subsidise and otherwise support, as the CEO thinks fit, other persons and organisations establishing or maintaining premises for any one or more of those purposes;
- c) subject to the Minister's consent, to establish and maintain accommodation for persons for whom assessment, treatment, management, care or rehabilitation services are provided under this Act and to subsidise and otherwise support, as the CEO thinks fit, other persons and organisations establishing or maintaining such accommodation;
- d) to provide such other facilities and services as the CEO considers necessary or desirable for the purposes of this Act;
- e) to determine the persons or classes of person for whom the CEO may provide facilities or services under this Act or in respect of whom the CEO may subsidise or otherwise support other persons and organisations providing facilities and services consistent with the purposes of this Act;
- f) to coordinate, promote, and subsidise, in Western Australia research into and education on the causation, prevention, reduction and treatment of AOD use problems and co-occurring health issues such as mental illness;
- g) to inquire into offences in which the use of AOD or both is an element, and the penalties for those offences, and to make recommendations to the Minister and Attorney General in relation to the need for, or desirability of, legislative action in the community interest in relation to those offences and penalties;
- h) subject to the Minister's consent, to cooperate and enter into agreement with other persons and organisations, in this State or otherwise, to such extent as may be necessary for the purposes of this Act.

In fulfilling the above purpose, the AODAB will:

- a) act as a consultative forum to ensure that advice to the Commissioner reflects the broad range of views and experience of people who have experienced harm as a result of AOD use, including co-occurring health issues such as mental health and physical health conditions;
- b) consult and liaise with the AOD and related sectors, including consumers, family

members and significant others, professionals and providers in the non-government sector, private sector and public sector;

- c) consider persons experiencing harm from AOD use, including those with co-occurring conditions such as mental health conditions, as a central focus to the AODAB's work with the aim to achieve better outcomes for these people and the community;
- d) identify emerging issues and trends related to the AOD sector locally in Western Australia, and nationally and internationally;
- e) consider national and international research information and education on the causation, prevention, reduction and treatment of AOD related harm including co-occurring conditions;
- f) provide advice to the Commissioner on issues that require whole-of-government and cross-agency approaches to address them;
- g) provide feedback on the effectiveness of strategies adopted and actively contribute to problem solving and identifying potential improvements where there are identified issues;
- h) provide feedback on strategies to further engage all stakeholders on AOD issues;
- i) support and promote the development and implementation of key major projects and strategies; and
- j) review and provide advice on any matter referred by the Commissioner related to the AOD sector.

## 1.1 Annual Work Plan

The AODAB and the Commissioner will work together to develop a shared set of strategic priorities to inform the AODAB's work. These will be set out in an Annual Workplan.

## 2. Membership

The AODAB will be comprised of up to eleven members, including a Chairperson and a Deputy Chairperson.

All members of the AODAB will be appointed by the Minister responsible for the Act (the Minister). Members are appointed based on their leadership, experience, knowledge, and expertise in the AOD sector and do not represent specific organisations or professions. Members will be residents of Western Australia.

To ensure the advice provided is considerate of diverse perspectives, membership may include, but is not limited to, members with expertise in the following areas:

- Community sector and regional services
- Aboriginal sector
- Multicultural sector
- Prevention, Treatment and Recovery
- Youth, older adult and people experiencing disability
- Law enforcement
- Psychiatrists\* and/or Addiction Medicine Specialists\*\*
- Public health
- Academia and research
- Lived Experience (consumer and significant other)

Members will be appointed for an initial term of up to three years and considered for reappointment at the discretion of the Minister. Reappointments will be informed by a performance review of the member by the Chairperson or, in the case of the Chairperson, by

\*Fellows of the Royal Australian and New Zealand College of Psychiatrists

\*\*Fellows of the Royal Australian College of Physicians

the Deputy Chairperson.

The Chairperson and Deputy Chairperson will serve a maximum of two consecutive terms.

Individual membership should not exceed 10 years in total.

Members may be removed at any time at the discretion of the Minister.

The roles and responsibilities of the Chairperson, Deputy Chairperson and members of the AODAB are set out in the AODAB Charter.

### **3. Conduct**

Members are required to comply with the Public Sector Code of Ethics outlined in the Commissioner's Instruction No. 40: Ethical Foundations, AODAB Charter and the AODAB Code of Conduct.

Members are required to carry out their roles with integrity and with regard for both the government's policies and priorities and the public interest.

In addition, members are expected to uphold the values of respect, collaboration, inclusiveness, transparency, accountability and ethical decision making.

These conduct requirements are set out in more detail in the AODAB's Charter.

#### **3.1 Conflicts of Interest**

Members are required to declare any potential, perceived or actual conflicts of interest which will be registered by the Secretariat.

Conflicts of interest will be managed by the Chairperson in accordance with the AODAB Charter and the Public Sector Commission's Conflict of Interest Guidelines. Any perceived or actual conflicts of interest of the Chairperson will be managed by the AODAB and where significant, the Commissioner.

AODAB members are required to provide impartial expert advice, independent of the views and interests of the organisation at which they are employed.

A conflict of interest is defined as any instance where an AODAB member has a direct financial or other interest which influences, or may appear to influence, proper consideration within the AODAB on a matter or proposed matter.

#### **3.2 Confidentiality**

In the course of the AODAB's operations, members may have access to information that constitutes confidential or sensitive personal or government information. Members must treat this material as strictly confidential and in accordance with the Public Sector Commission's, Commissioner's Instruction No. 40: Ethical Foundations and the AODAB Code of Conduct.

Members will be required to sign an agreement to this effect.

Any breach of confidentiality may be considered misconduct and lead to a number of consequences, as outlined in the AODAB Declarations and Confidentiality Non-Disclosure Agreement (refer to the AODAB Charter).

#### **4. Meetings**

The AODAB will meet no less than four times per year. Additional meetings may be convened by the Chairperson.

A quorum consists of 50 percent of members plus one member.

The processes for developing meeting agendas, submitting papers (including submission templates) and circulation of meeting papers are set out in the AODAB's Charter.

##### **4.1 Decision making process**

AODAB decisions will be determined by consensus of members present at the meeting. Where members do not all agree, issues raised will be documented. Notwithstanding this, members will have collective accountability for decisions made by the AODAB.

#### **5. Secretariat**

The AODAB Secretariat is provided and resourced by the Mental Health Commission (MHC).

Minutes of meetings and other records are developed and maintained by the Secretariat, as set out in the AODAB's Charter, and in accordance with the *State Records Act 2000*.

#### **6. Reporting**

The AODAB will report to the Commissioner through the Chairperson.

At the discretion of and by joint agreement of the Chairperson and Commissioner, AODAB advice, recommendations and communiques may be published on the MHC's website.

The records of the AODAB are subject to the *Freedom of Information Act 1992*.

##### **6.1 Annual Report**

The AODAB will submit an annual report summarising its activity for the financial year against the AODAB's Workplan to the Mental Health Commissioner by 30 October each year.

#### **7. External Communications and Media Contact**

AODAB members are not to make public statements or respond directly to media requests in their capacity as a member of the AODAB. All media requests should be directed to the Secretariat for the MHC to determine any required action.

## 8. Remuneration

The Minister determines the AODAB members' remuneration and allowances upon the recommendation of the Public Sector Commissioner and in line with State Government Boards and Committees – Premier's Circular 2023/02.

## 9. Related Documents

[Alcohol and Other Drug Act 1974](#)

Alcohol and Other Drug Advisory Board Charter

[PSC Conflict of Interest Guidelines](#)

[Commissioner's Instruction 40: Ethical Foundations](#)

[Governance of WA Government Boards and Committees](#)