

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 Drug Act 1974 (the Act) to provide advice to the CEO (the Mental Health Commissioner, the Commissioner) about matters relevant to performance of functions under section 11 - 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's 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 (s.11(1)).

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 with AOD use problems including co-occurring health issues such as mental illness;
- b) consult and liaise with the AOD and related sectors, including consumers and carers, professionals and providers in the non-government sector, private sector and public sector;
- c) consider persons experiencing AOD use problems, including those with co-occurring health conditions such as mental health issues, as a central focus to the AODAB's work with the aim to achieve better outcomes for these people;

- 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 use problems and co-occurring mental health issues;
- f) work in collaboration with the Mental Health Advisory Council (MHAC) and Community Mental Health, Alcohol and Other Drug Council (CMC) to achieve a coordinated focus on AOD use and mental health issues;
- g) provide advice to the Commissioner on issues that require whole-of-government and cross-agency approaches to address them;
- h) provide feedback on the effectiveness of strategies adopted and actively contribute to problem solving and identifying potential improvements where there are identified issues;
- i) provide feedback on strategies to further engage all stakeholders on AOD issues;
- j) support and promote the development and implementation of key major projects and strategies; and
- k) review and provide advice on any matter referred to them 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 Work Plan.

2. MEMBERSHIP

The AODAB will be comprised of up to eight members.

All members of the AODAB will be appointed by the Minister for Mental Health (the Minister). Members are appointed based on their leadership, experience, knowledge, interest 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 the diverse perspectives, members are likely to have expertise in AOD issues in the following areas:

- Community sector, regional services
- Aboriginal, multicultural sector
- Prevention, Treatment, Recovery
- Youth, older adult, people with disability
- Public Health
- Addiction Medicine
- Academia and research
- Law Enforcement

Members will be appointed for an initial term of up to three years and considered for reappointment at the discretion of the Minister. Members will serve a maximum of 2 consecutive terms.

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 AODAB Charter and Code of Conduct, act professionally, and 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 of the AODAB will be required to sign a 'conflict of interest' form. These conflicts, and the way in which they will be addressed, will be recorded in a register by the AODAB's Secretariat.

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 will be required to sign an agreement to this effect.

Further information regarding the required conduct of members of the AODAB, with respect to conflicts of interest and confidentiality, is set out in 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 five members.

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 this secretariat unit, as set out in the AODAB's Charter, and will be in accordance with the *State Records Act 2000*.

6. REPORTING

The AODAB will report to the Commissioner through the Chairperson.

The AODAB Chair is an active member of the CMC and provides regular reports to the CMC on the AODAB's priorities and advice.

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

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

7. EXTERNAL COMMUNICATIONS AND MEDIA CONTACT

AODAB members should not 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 Chair for determination of action required, in accordance with the MHC's Media Management Policy.

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 2019/07.

9. RELATED DOCUMENTS

Alcohol and Other Drug Act 1974

Alcohol and Other Drug Advisory Board Charter

Commissioner's Instruction No.7 – *Code of Ethics*

[Commissioner's Instruction No.8 – *Codes of Conduct and Integrity Training*](#)

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