



GOVERNANCE AND SUB-COMMITTEE TERMS OF REFERENCE

CONTEXT

The South Australian Skills Commission (the Commission) is established pursuant to the *South Australian Skills Act (SAS Act) 2008*, Division 2(15).

This Governance and Sub-Committee Structure is in support of the *South Australian Skills Act 2008* (the *SAS Act*) **s21—Committees**

(1) The Commission may establish committees—

- (a) to advise the Commission; or
- (b) to carry out functions on behalf of the Commission.

(2) The membership of a committee will be determined by the Commission and may, but need not, consist of, or include, members of the Commission.

(3) The Commission will determine who will be the presiding member of a committee.

(4) The procedures to be observed in relation to the conduct of the business of a committee will be

- (a) as determined by the Commission; and
- (b) insofar as a procedure is not determined under paragraph (a)—as determined by the committee.

The South Australian Skills Commissioner has been assigned the Delegation for the *SAS Act* Part 2 S19(3) the Commission may, in accordance with any requirements in the regulations, establish such industry engagement or advisory bodies as the Commission thinks appropriate (which may but need not consist of members of the Commission).

Within this context the Governance and Sub-Committee Terms of Reference will be applied to the operations of all South Australian Skills Commission Sub-Committees.

PURPOSE

The purpose of this document is to outline the South Australian Skills Commission Governance and Sub-Committee Terms of Reference by defining their Scope of Operations, Authority to Act, Role and Function, Membership and Quorum Requirements, and Executive support functions.

SCOPE

South Australian Skills Commission Sub-Committees aim to provide sound and robust ***advice and recommendations*** to the Commission for their consideration on current and emerging issues relating to their Scope of Operation.

Each sub-committee will operate in a manner that facilitates collaboration, by enabling members to contribute to delivering real change and consistent approaches to support the governments reform agenda and achievement of the Commissions Strategic Plan.

In support of this approach it is proposed that the Commission establishes Sub-Committees within an **advisory capacity** as per s21—Committees (1(a) of the *SAS Act* **to advise the Commission** and as such, each sub-committee operates within an **advisory capacity** with a specific focus to facilitate the flow of information and recommendations to the Commission for their consideration.

This South Australian Skills Commission Governance and Sub-Committee Terms of Reference does not prevent the Commission or the Commissioner from convening a Working Group to consider topical issues or review or investigate items of interest to the Commission or Commissioner. Nor does it prevent the Commission or the Commissioner from convening Stakeholder Groups to consult on items of interest specific to a group, sector or item.

AUTHORITY TO ACT

Each Sub-committee has authority to explore matters within its specific scope as it relates to the *SAS Act* and obtain information from the Department for Innovation and Skills, The Commission, The Office of the Skills Commission and Industry Skills Councils (ISCs) and/or other agencies as required, to be able to provide sound and robust advice and recommendations to the Commission for their consideration on current and emerging issues.

ROLE AND FUNCTION

Each South Australian Skills Commission Sub-Committee is established as a non-statutory **advisory body** with a **“specific focus”** as defined by the Act to:

- Foster collaboration and act as a central point to monitor activities and address emergent risk.
- Provide prudential oversight and advice on strategic issues, initiatives and activity relating to the *South Australian Skills Act 2008*, Regulations and Skills Standards.
- Provide a platform to progress a range of cross government, industry or sector activities to achieve the outcomes of the Commission Strategic Plan.
- Provide a forum to review emerging issues, innovation, best practice, trends or risk impacting post-secondary education and training in South Australia.
- Review and evaluate operational activities associated top the Skills Standards, Commission policies and procedure and any aspects of delegations from the Commission.
- Ensure coordination of consultations to maximise impact and reduce the risk of stakeholder fatigue.
- Ensure consistency of messaging and communications to the public, industry and small business about post-secondary education and training in South Australia.

MEMBERSHIP

Membership of a South Australian Skills Commission Sub-Committee is via an Expression of Interest processes and is voluntary.

Commission and Industry Skills Council members will be encouraged to express their interest to Chair or participate in a specific South Australian Skills Commission Sub-Committee via a Call for Membership processes managed by the Office of the Commission. Should there be more Expressions of Interest than there are positions on a specific Sub-Committee the Commissioner will make recommendations to the Commission based on an individuals broad-based perspectives and experience across the South Australian education and training sectors as it relates to the Sub-Committee focus area.

The Commission may request nominations from the Department for Innovation and Skills for membership on specific Sub-Committees, particularly where it may relate to a Delegated function.

Each South Australian Skills Commission Sub-Committee will consist of membership no greater than 8 individuals, in addition to the Chair and Executive Officer.

- Members will be appointed for a period of twelve months.

Members will acknowledge in their Terms of Appointment that they may receive or create information which is to remain confidential and must agree not to use or disclose any confidential information.

A membership of a sub-committee becomes vacant if the member:

- Resigns by written notice to the Chair;
- Is absent from three consecutive meetings without approval of the Chair.

Membership of a sub-committee will be unpaid.

QUORUM

Members can appoint a proxy to attend a meeting on their behalf.

Proxies have the responsibilities of a member, including achieving a quorum and decision making of the sub-committee.

Guest attendees or subject matter specialist may be invited by the Chair to attend a sub-committee to lead or participate in themed discussions associated to emerging issues, innovation, best practice, trends or risk impacting education and training in South Australia as it relates to the sub-committees focus area.

Key Stakeholders may be invited to attend a sub-committee as a Guest.

A quorum for any meeting will be no less than four (4) or 50% of the members, whatever is the lesser other than the Chair and Executive Officer.

CONFLICT OF INTEREST

The declaration of any conflict of interest will be a Standing Agenda Item.

EXECUTIVE SUPPORT

Each sub-committee will be supported by the Office of the South Australian Skills Commission.

Records of sub-committee meetings will be maintained in accordance with the: State Records Act 1997.

Minutes and Actions will be distributed to members within 5 working days of each meeting by the Office of the South Australian Skills Commission.

Agendas and papers will be distributed to the sub-committee a minimum of 3 working days prior to meeting dates.

The Office of the South Australian Skills Commission will facilitate the dissemination of Out-of-Session information on behalf of members as required.

Office of the South Australian Skills Commission will prepare briefings and recommendations at the request of the sub-committee for tabling at Commission meetings by the sub-committee Chair.

A sub- committee will meet 6 times annually or as agreed.

SPECIFIC SUB-COMMITTEE FUNCTIONS

South Australian Skills Commission Traineeship and Apprenticeship Committee

The South Australian Skills Commission Traineeship and Apprenticeship Committee operate within the South Australian Skills Commission Governance and Sub-Committee Terms of Reference.

The context of the South Australian Skills Commission Traineeship and Apprenticeship Committee is to provide prudential oversight and advice on strategic issues, initiatives and activity relating to the South Australian Skills Commission Instrument of Delegation SASC01/2021 pursuant to the South Australian Skills Act 2008 (Attachment 1 Instrument of Delegation) where the Delegated Authority is the Department for Innovation and Skills.

Function (s19) Functions of the Commission (19(1)(b) to regulate the State's apprenticeship and traineeship system; and

The South Australian Skills Commission Traineeship and Apprenticeship Committee will provide prudential oversight and advice to the Commission on all matters relating to the SAS Act Part 2, (s6) Declarations of trades and declared vocations ((1)-(3)(d)) inclusive.

Trade and Vocation Recognition Assessment Panels

The South Australian Skills Commission Trade and Vocation Recognition Assessment Panels operate within the South Australian Skills Commission Governance and Sub-Committee Terms of Reference.

The function of the South Australian Skills Commission Trade and Vocation Recognition Assessment Panels is to provide prudential oversight and advice on matters relating to their Delegation as defined by the South Australian Skills Commission Instrument of Delegation SASC01/2021 pursuant to the South Australian Skills Act 2008 (Attachment 1 Instrument of Delegation).

This Delegation and function of the of the Trade and Vocation Recognition Assessment Panels is specific to the SAS Act:

S 70A Application for recognition of other trade qualifications (70 A (1) to (6)

S 70B Commission may determine person adequately trained (70 B (1)(a)

S 70B Commission may determine person adequately trained (70 B (2) (a) to (e)

South Australian Training Awards Committee

The South Australian Skills Commission Training Awards Committee operates within the South Australian Skills Commission Governance and Sub-Committee Terms of Reference.

The function of the South Australian Skills Commission Training Awards Committee is to provide prudential oversight and advice on matters relating to the *South Australian Skills Act* Part 2 S3 Objects (1) (e) to recognise the importance of the vocational education and training system, including adult community education as it relates to the South Australian and National Training Awards or related events.