



Australian Government
Australian Digital Health Agency



Consumer Advisory Committee Charter

Version 0.3

1 Purpose

The Australian Digital Health Agency (the Agency) commenced operations in July 2016 to lead the digital transformation of healthcare to create a better health system and enable Australians to make more informed decisions about their health.

The Agency is governed by a [skills based Board](#) and is supported by several expert Advisory Committees, including the Consumer Advisory Committee.

The Consumer Advisory Committee will:

- provide advice to the Board about how to ensure key messages about digital health are communicated effectively to relevant stakeholders and health consumer groups;
- provide advice and recommendations to the Board about recognising the interests of minority and special interest groups so as to ensure that their interests are taken into account in the design and implementation of digital health systems; and
- provide advice to the Board about establishing and maintaining collaboration with health consumers and providers in relation to digital health systems.

Per section 2.7, in performing its functions, the Consumer Advisory Committee must consult consumer advocacy experts and expert clinicians to ensure that digital health systems:

1. facilitate the use of digital health by consumers; and
2. enhance efficiency and effectiveness of clinical care; and
3. meet usability and utility requirements of consumers and clinicians.

2 Composition and Operation

The Australian Digital Health Agency (the Agency) was established by the *Public Governance, Performance and Accountability (Establishing the Australian Digital Health Agency) Rule 2016* (Rule), which also sets out the composition and operations of the Advisory Committees. This Charter operates within the broader framework of Part 6 of the Rule.

2.1 Membership

The Consumer Advisory Committee consists of a Board member (other than the Board Chair) and up to 10, other members.

The Board member must be a Board member appointed for his or her skills, experience or knowledge of healthcare delivery, or if there is no such Board member – a Board member nominated by the Board.

A person is not eligible to be appointed as a member of the Consumer Advisory Committee unless the person:

- a) has skills, experience or knowledge in consumer advocacy; or
- b) has skills experience acquired in working for a health consumer organisation; or
- c) extensive knowledge of consumer health interests acquired in working in the delivery of private and public health care; or
- d) has skills, experience or knowledge in engaging with health consumers; or
- e) has skills, experience or knowledge in health consumer participation; or
- f) is a registered medical practitioner; or
- g) is a medical practitioner with specialist registration; or
- h) is a registered nurse practitioner or a nurse; or
- i) a registered allied health practitioner; or
- j) is a member of the Clinical Advisory Committee. 48(3) (j) of the Rule.

The Board must ensure that at least half of the members of the Consumer Advisory Committee are persons with the skills, experience or knowledge mentioned in paragraphs 3 (a) to (e). 48 (5) of the Rule.

2.2 Appointment of Chair

The Chair of the Consumer Advisory Committee is the Board member appointed to the Board for his or her skills, experience or knowledge in the fields of consumer health advocacy. If there is no such Board member then the Chair will be a Board member appointed by the Board.

2.3 Appointment of Committee Members

The Board must ensure that at least half of the members of the Consumer Advisory Committee are persons with the skills, experience or knowledge mentioned in 2,5 a) to c) above.

Members, (other than a Board member) are to be appointed by the Board, by written instrument, on a part time basis.

Before the Board appoints a person to the Consumer Advisory Committee the Board must consult the Health Minister and all the State/Territory Health Ministers.

2.4 Term of membership

A person appointed to the Consumer Advisory Committee (other than a Board member) holds office for the period, not exceeding three years, specified in the instrument of appointment.

A Board member appointed to the Consumer Advisory Committee will hold office for the same term as their Board appointment. When membership on the Board

ceases, their position as a Board nominee on the Consumer Advisory Committee, will also cease.

Appointments to the committee are made on a skills basis and are not representational in nature. Therefore if a person no longer holds a particular professional role, the Board will consider ongoing membership of the committee on a case by case basis.

2.5 Board direction

The Board may give directions to the Consumer Advisory Committee relating to the assistance that the committee is to provide to the Board. The committee must comply with those directions.

2.6 Powers

The Consumer Advisory Committee may, subject to the required membership and Chair appointments by the Board and any written directions of the Board, determine its own procedures.

Reports or recommendations from the Committee to the Board are prescribed under Part 9 of the Rule – Reporting as being a document that, once received by the Board, must, as soon as practicable after the Board has received it, be advised as available to State/Territory Health Ministers. If a request for the information is received the Board must give the report, document or information to the State/Territory Health Minister within 30 days after the request was made to the Board.

2.7 Consultation

In performing its functions, the Consumer Advisory Committee must consult consumer advocacy experts and expert clinicians to ensure that digital health systems:

1. facilitate the use of digital health by consumers; and
2. enhance efficiency and effectiveness of clinical care; and
3. meet usability and utility requirements of consumers and clinicians.

2.8 Other terms and conditions

A Consumer Advisory Committee member holds office on the terms and conditions (if any) in relation to matters not covered by the PGPA Rule that are determined by the Board.

2.9 Acting Chair and Committee Member arrangements

The Board Chair may, by written instrument, appoint a person to act as a member of the Consumer Advisory Committee during a vacancy in the office of a member of the committee (whether or not an appointment has previously been made to the office) or during any period, or during all periods, when a member of

the committee is absent from duty or is, for any reason, unable to perform the duties if the office of the member.

A person must not be appointed to act as a member of the committee for more than 6 months.

A person is not eligible for appointment to act as member of the committee unless the person is eligible for appointment as a member of the committee.

3 Remuneration, allowances and Leave Arrangements

3.1 Remuneration of Committee Members

A Consumer Advisory Committee member is to be paid the remuneration that is determined by the Remuneration Tribunal.

Remuneration and Allowances for the Australian Digital Health Agency Board's Consumer Advisory Committee are described in [2015-20 Remuneration and Allowances for Holders of Part-Time public office](#).

However, a Consumer Advisory Committee member is not entitled to be paid remuneration if he or she holds an office or appointment, or is otherwise employed, on a full-time basis in the service or employment of:

- a State; or
- a corporation (a public statutory corporation) that:
 - is established for a public purpose by a law of a State; and
 - is not a tertiary education institution; or
 - a company limited by guarantee, where the interests and rights of the members in or in relation to the company are beneficially owned by a State; or
 - a company in which all the stock or shares are beneficially owned by a State or by a public statutory corporation.

3.2 Travel, allowances and expenses

Business and travel expenses and will be in accordance with the *Agency Travel, Allowances and Business Expense Policy*. This Policy aligns with public sector expense standards such as 'best fare of the day' economy class travel for domestic flights. A copy of the Policy is available on the Agency website.

3.3 Leave for Consumer Advisory Committee members

The Board Chair may grant leave of absence to a member of the Consumer Advisory Committee on the terms and conditions that the Board Chair determines.

The Board Chair must notify the Minister for Health and all the State/Territory Health Ministers if the Board Chair grants a member of the Consumer Advisory Committee leave of absence for a period that exceeds 3 months.

4 Committee Members' Responsibilities

The Consumer Advisory Committee subscribes to conflict of interest principles set out in the Australian Public Service Commission's [*Values and Code of Conduct in practice: A guide to official conduct for APS employees and agency heads*](#).

4.1 Confidentiality

All deliberations, decisions and activities of the Consumer Advisory Committee are confidential unless expressly stated by the Chair (or, in the absence of the Chair, any other person presiding over a meeting) or his or her delegate.

4.2 Disclosure of Interests and Conflicts

At each Consumer Advisory Committee meeting (including meetings convened by teleconference or other form of electronic communication), the Consumer Advisory Committee Chair must seek declarations of interests from all Consumer Advisory Committee members present. A Consumer Advisory Committee member who has a material personal interest in a matter that relates to the affairs of the Agency must give the other Consumer Advisory Committee members notice of the interest.

The notice must give details of:

- The nature and extent of the interest; and
- The relation of the interest to the affairs of the Agency; and
- Be given at a Consumer Advisory Committee meeting as soon as practicable after the Consumer Advisory Committee member becomes aware of his or her interest in the matter.

The details must be recorded in the minutes of the meeting. Additionally, the Australian Digital Health Agency Consumer Advisory Committee secretariat must retain all details of interests declared and all standing notices of interest.

4.3 Restrictions on outside employment

A member of the Consumer Advisory Committee member must not engage in any paid employment that, in the Board's opinion, conflicts or may conflict with the proper performance of his or her duties on the Consumer Advisory Committee.

5 Meetings

5.1 Committee Members' Conduct in meetings

The Consumer Advisory Committee may, subject to the required membership and Chair appointments by the Board and any written directions of the Board, determine its own procedures.

Section 15 of the Public Governance, Performance and Accountability Rule 2014 deals with the consequences of having a material personal interest and may affect whether a Consumer Advisory Committee member can be present at a meeting and vote in relation to a matter.

5.2 Convening Meetings

The Consumer Advisory Committee Chair must convene such meetings of the Consumer Advisory Committee as are, in his or her opinion, necessary for the efficient conduct of its affairs.

The Consumer Advisory Committee Chair must convene at least 4 meetings of the Consumer Advisory Committee each calendar year.

The Consumer Advisory Committee Chair must convene a meeting of the Consumer Advisory Committee if directed to do so by the Minister for Health.

On receipt of a written request signed by a majority of the Consumer Advisory Committee members, the Consumer Advisory Committee Chair must convene a meeting of the Consumer Advisory Committee.

5.3 Presiding at Committee meetings

The Consumer Advisory Committee Chair must preside at all meetings of the Consumer Advisory Committee at which he or she is present.

If the Consumer Advisory Committee Chair is not present at a meeting of the Consumer Advisory Committee, the Consumer Advisory Committee members present must elect one of their number to preside at the meeting.

5.4 Quorum

At a meeting of the Consumer Advisory Committee, a quorum is constituted by a majority of the Consumer Advisory Committee members for the time being holding office.

However, if:

- a Consumer Advisory Committee member is required by section 15 of the Public Governance, Performance and Accountability Rule 2014 (which deals with material personal interests):
 - not to be present while a matter is being considered at a meeting of the Consumer Advisory Committee; or

- not to vote on a matter that is being considered at a meeting of the Consumer Advisory Committee; and
- when the Consumer Advisory Committee member leaves the meeting concerned there is no longer a quorum present the Consumer Advisory Committee members remaining at the meeting constitute a quorum for the purposes of any consideration of, or vote on, the matter at the meeting.

5.5 Voting

At a meeting of the Consumer Advisory Committee, a question is decided by a majority of the votes of Consumer Advisory Committee members present and voting.

The Consumer Advisory Committee member presiding at the meeting has:

- a deliberative vote; and
- in the event of an equality of votes, a casting vote.

5.6 Committee Minutes

The Consumer Advisory Committee must keep minutes of its meetings.

6 Committee Reports and Recommendations to the Board

6.1 Sharing information with other jurisdictions

The Agency is a prescribed agency for the purpose of paragraph 82 of the PGPA Act, which means that each State/Territory Health Minister may request the following reports, documents and information from the Consumer Advisory Committee:

- a report or recommendation prepared by the Consumer Advisory Committee for consideration by the Board of the Australian Digital Health Agency, once the Board has received the report or recommendation from the Consumer Advisory Committee has received the report or recommendation from the standing advisory committee.

The Board must advise State/Territory Health Ministers of availability of documents as soon as practicable.

The Board must provide these within 30 days after the State/Territory Health Minister's request.

6.2 Annual performance report to the Board

The Consumer Advisory Committee must prepare an annual performance report of its deliverables under the Board's national digital health work program for each

financial year. The annual performance report must be prepared and delivered by the date requested by the Board before 31 March in the financial year.

7 Resignation and Termination

7.1 Resignation of Committee members

A Consumer Advisory Committee member may resign his or her appointment by giving the Board Chair a written resignation. The resignation takes effect on the day it is received by the Board Chair or, if a later day is specified in the resignation, on that later day.

7.2 Termination of appointments of Committee members

The Board may terminate the appointment of a Consumer Advisory Committee member:

- a) for misbehaviour
- b) if the member is unable to perform the duties of his or her office because of physical or mental incapacity
- c) if the member
 - i. becomes bankrupt; or
 - ii. takes steps to take the benefit of any law for the relief of bankrupt or insolvent debtors; or
 - iii. compounds with one or more of his or her creditors; or
 - iv. makes an assignment of his or her remuneration for the benefit of one or more of his or her creditors; or
- d) if the member is absent, except on leave of absence, from 3 consecutive meetings of the committee; or
- e) if the member engages in paid work that, in the Board's opinion, conflicts or may conflict with the proper performance of his or her duties.

7.3 Procedures relating to certain terminations

Before the Board Chair terminates the appointment of a Consumer Advisory Committee member, the Board Chair must consult the Health Minister and all the State/Territory Health Ministers.

8 Committee Performance Review

The Board Chair will arrange for Consumer Advisory Committee performance reviews every three years. Performance will be assessed against this Charter.

9 Publication and Review of Charter

This Charter will be available on the Agency's website. The Board must review this Charter annually to ensure it remains consistent with the Consumer Advisory Committee's functions.