

College Policy and Advocacy Council

CPAC By-law

**BY-LAW PURSUANT TO THE CONSITUTION OF
THE ROYAL AUSTRALASIAN COLLEGE OF PHYSICIANS FOR THE ESTABLISHMENT AND
OPERATION OF A COLLEGE BODY**

Area of College	P&A
Document Writer	Operations Manager, P&A
Document Owner	The Board
Approved by	The Board
Effective Date	26/07/2024
Next Review Date	30/07/2027
References/Legislation	<i>Corporations Act 2001 (Cth)</i>
Associated RACP Documents	Governance of College Body By-law, Appointments to College Bodies Policy, RACP Constitution
Applicability	Australia and Aotearoa New Zealand

Note: This is a controlled document within the RACP Policy Framework.

TABLE OF CONTENTS

1. INTRODUCTION AND PURPOSE	3
2. COLLEGE POLICY AND ADVOCACY COUNCIL	4
3. EXECUTIVE COMMITTEE	5
4. DIVERSITY OF NOMINATIONS	6
5. MEETINGS.....	6
6. VOTING	6
7. REPORTING	6
8. REVIEW OF BY-LAWS.....	7
9. DEFINITIONS.....	7
10. HISTORY	7

1. INTRODUCTION AND PURPOSE

1.1 The College Board has, pursuant to the Constitution of the College, established the College Policy and Advocacy Council (CPAC) (established under clause 2) and its Executive Committee (established under clause 3).

1.2 The CPAC has been established by the College Board to coordinate consistent and effective policy and advocacy across the College.

1.3 The CPAC will be the peak decision-making body for health related policy and advocacy in each country.

1.4 Decision making on specialty-specific and region-specific issues is delegated to the appropriate College body in line with the CPAC Delegation Model, with the College body:

- keeping the CPAC informed on a noting basis
- keeping the Policy & Advocacy team informed so that they can provide support and identify and advise on risks, particularly relating to:
 - the relationship with government and key external stakeholders
 - the need to consult with other College Bodies.

1.5 All policy and advocacy bodies in the College will provide advice to and report to the CPAC.

1.6 Policy and Advocacy

In matters of policy and advocacy, the CPAC has been established to:

- a. Consult with all College Bodies involved with policy and advocacy matters to establish the key policy priorities and activities for the whole College for approval by the College Board, in a manner that aligns the needs of Members and the community;
- b. Communicate the approved policy and advocacy priorities across the College in line with the approved priorities;
- c. Consult with Specialty Societies and other external bodies on policy and advocacy matters and priorities where appropriate, to maximise effective outcomes;
- d. Work with all College Bodies on policy and advocacy positions and activities, including working with the College Education Committee on policy and advocacy matters relevant to education and training;
- e. Respond in a timely and relevant manner to emerging policy and advocacy issues that are relevant to the College Fellows, trainees and the community;
- f. Promote the role of the College, Fellows and trainees, including:
 - A College-wide communication strategy that focusses on the role of Fellows and trainees in improving the quality and safety of health care in Australia and Aotearoa New Zealand; and
 - Supporting the work of the College with government and other key stakeholders, on regulatory, legal and legislative arrangements, which are of strategic importance for the College, Fellowship and trainees and the community.

These functions will be exercised by the CPAC, except to the extent that they are delegated to the Executive Committee in writing.

2. COLLEGE POLICY AND ADVOCACY COUNCIL

2.1 CPAC

A College Policy and Advocacy Council will be established and it will be the peak decision making and strategic planning body for health related policy and advocacy ('the CPAC').

2.2 Role of the CPAC

- 2.2.1 The CPAC may do all things necessary to further the purposes as outlined in this By-law, other applicable By-laws and policies of the College and directions of the College Board.
- 2.2.2 The CPAC may delegate any part of its activities to the Executive Committee by resolution of the CPAC.

2.3 Composition of the CPAC

Members of the CPAC shall be appointed by the College Board and shall comprise:

- 2.3.1 The Chair of the Council, appointed in accordance with 5.4;
- 2.3.2 An Executive Committee member appointed to be the Deputy Chair of the Council and the Executive Committee, in accordance with 3.3.3;
- 2.3.3 A member of the Board appointed by the Board;
- 2.3.4 The Chair of the Policy and Advocacy Committee of each Division Faculty and Chapter of the College;
- 2.3.5 The Chair of, or their nominee from, each Regional Committee, including Aotearoa New Zealand;
- 2.3.6 The Chair of, or their nominee from, the Aboriginal and Torres Strait Islander Health Committee;
- 2.3.7 The Chair of, or their nominee from, the Māori Health Committee;
- 2.3.8 A trainee recommended by the College Trainees Committee after identifying candidates through an Expression of Interest process that is run in accordance with the usual procedures of the College;
- 2.3.9 A representative from the Consumer Advisory Group, appointed through an Expression of Interest process in accordance with the usual procedures of the College;
- 2.3.10 Up to three co-opted members, with appropriate expertise in policy and advocacy who may or may not be Fellows; and
- 2.3.11 All Executive Committee members who are not otherwise members of Council.

2.4 Sub-committees

In addition to the Executive Committee established under this By-law, the CPAC may, subject to the approval of the Board, create committees or time-limited or specific purpose working parties as the CPAC may recommend from time to time.

3. EXECUTIVE COMMITTEE

3.1 Executive Committee

An Executive Committee will be established and will report to the CPAC.

3.2 Role of Executive Committee

The Executive Committee shall meet in the intervening periods between CPAC meetings and otherwise as required by CPAC to exercise such powers of the CPAC in managing the business and interests of the CPAC as may be delegated to it by resolution of CPAC, or as the Chair of the CPAC, in an emergency, may decide.

3.3 Membership of Executive Committee

3.3.1 The Executive Committee will be appointed by the College Board, and will comprise:

- a. the Council Chair;
- b. the Deputy Chair,
- c. up to nine other members in addition to the Council Chair and the Deputy Chair; and
- d. not more than eleven (11) members in total.
- e. not less than nine members in total.

3.3.2 Members appointed in accordance with 3.3.1.c shall be appointed following an Expression of Interest process that is run in accordance with the usual procedures of the College.

3.3.3 The Deputy Chair position shall be appointed following a nomination process via the Executive Committee membership run in accordance with the usual nomination procedures of the College.

3.3.4 Where possible the Executive Committee should include a Fellow from the Adult Medicine Division, the Paediatrics and Child Health Division, a Faculty of the College and a Fellow resident in Aotearoa New Zealand. Effort should be made to secure gender balance, to include a trainee member, and to include Indigenous members of the College.

3.4 Co-opted members

3.4.1 From time to time the Executive Committee may require the contribution of a person, or persons, who has, or have, expertise to assist the Executive Committee in its deliberations. To achieve this, the Executive Committee may co-opt members for a specified time, usually not exceeding 6 months, or for a specified task.

3.4.2 Co-opted members shall be appointed in accordance with the requirements of the Governance of College Bodies By-law.

3.5 Term

Executive Committee members shall be appointed for a term of three (3) years. Members of the Executive Committee cannot serve more than two (2) consecutive terms.

3.6 Review of decisions of the Executive Committee

- 3.6.1** Any request for review by a CPAC Member of an Executive Committee decision must be made promptly in writing, preferably within seventy-two hours of the matter being approved by the Executive Committee, to the Chair of the Committee.
- 3.6.2** The decisions of the Executive Committee may be reviewed by the CPAC, at the request of two thirds of the members of the CPAC (excluding those members who are also members of the Executive Committee).

4. DIVERSITY OF NOMINATIONS

Each College Body shall attempt as far as practicable to ensure that important strata of the College membership (for example: gender, geographic location, ethnicity, public and private practice) are represented among the candidates.

5. MEETINGS

- 5.1** The CPAC will have no more than one face to face meeting per calendar year, unless otherwise approved by the College Board.
- 5.2** The Executive Committee will operate by electronic circular resolution, or by teleconference/zoom and may only meet face to face as approved by the College Board on the recommendation of the CPAC.
- 5.3** The Chair or their appointee will Chair all meetings.
- 5.4** Members of the CPAC appoint the Chair subject to approval by the Board following a nomination process via the CPAC membership run in accordance with the usual nomination procedures of the College.

6. VOTING

6.1 For the purposes of the Executive Committee out-of-session decision-making, a decision on a matter is considered made if a threshold vote is reached. Decisions made via electronic circular resolution must reach a threshold of 75% as per the Governance of College Bodies By-law (9 votes of an 11 member committee). If this is not possible, a decision is made if the majority of Executive Committee members approve, who have responded to the matter, and the Chair of CPAC is in agreement.

7. REPORTING

7.1 The CPAC is a Committee of the College Board and must report to the College Board as required by the College Board from time to time.

- 7.2** The CPAC may make exception reports to the College Board to address emerging or risk issues as required.
- 7.3** The Executive Committee will report to the CPAC at their face to face meetings and otherwise in accordance with any written delegation, or as requested from time to time.
- 7.4** All policy and advocacy bodies in the College will provide advice to and report to the CPAC, keeping the CPAC informed of delegated matters on a noting basis. The policy and advocacy activities of College Bodies will be subject to CPAC approval, as appropriate, as stated in clause 1.4.

8. REVIEW OF BY-LAWS

These By-laws will be reviewed each three years.

9. DEFINITIONS

Term	Means
College	The Royal Australasian College of Physicians (ACN 000 039 047), an incorporated body limited by guarantee.
College Board	the Board of Directors of the College.
College Body	(a) the Council of each Division or Faculty of the College; (b) the Committee of each Chapter of the College; (c) each College Board Committee; and (d) each Committee, subcommittee, working group, expert advisory group or other subgroup formed under the auspices of any of the above, whether or not limited in time or purpose.
Constitution	the Constitution of the College as amended from time to time.
Member	has the same meaning as defined in the Constitution.
Fellow	has the same meaning as defined in the Constitution.

10. HISTORY

By-Law History as from 6 December 2012		
Commencement of By-Law		
This By-Law was approved by the Board of the College on 6 December 2012 and commenced on that date.		
Subsequent amendments to By-Law		
Item	Amendment	Commenced
1	An addition to Clause 1.4:- 'These functions will be exercised by the Council, except to the extent that they are specifically delegated to the Advisory Committee in writing.'	5/12/13
2	Minor typographical error was corrected at Clause 3.6.1	5/12/13
3	Amendment to Clause 3.3.1(c) – increase additional members from four to eight	21/03/14

4	Amendment to Clause 3.3.1(d) – limit total membership of Advisory Committee to nine	21/03/14
5	Addition to clause 2.3 – 2.3.7 – All Advisory Committee members who are not otherwise members of Council	12/02/15
6	Amendment to clause 3.5 to extend term of members.	24/7/15
7	Amended reference to ‘College Policy and Advocacy Committee’ to ‘College Policy and Advocacy Council’ throughout	12/07/19
8	Amended reference to ‘College Policy and Advocacy Committee Advisory Committee’ to ‘College Policy and Advocacy Council Executive Committee’ throughout	12/07/19
9	Amendment to Clause 1.3 – ‘CPAC will be the peak decision-making body for health related policy and advocacy in each country.’	12/07/19
10	Addition to Clause 1.4 – ‘Decision making on specialty-specific and region-specific issues is delegated to the appropriate College body in line with the CPAC Delegation Model, with the College body: <ul style="list-style-type: none"> • keeping the CPAC informed on a noting basis • keeping the Policy & Advocacy team informed so that they can provide support and identify and advise on risks, particularly relating to: <ul style="list-style-type: none"> ○ the relationship with government and key external stakeholders ○ the need to consult with other College bodies’ 	12/07/19
11	Amendment to Clause 1.5 to remove - ‘keeping the CPAC informed on a noting basis and keeping the P&A team informed so that they can provide support and identify and advise on risks, particularly relating to: the relationship with government and key external stakeholders potential implications or need to consult with other College bodies.’	12/07/19
12	Addition to Clause 2.1 – ‘health policy and advocacy’	12/07/19
13	Amendment to Clause 2.3.1 – ‘the Chair of the Council, who shall be a member of the Board appointed by the Board’	12/07/19
14	Amendment to Clause 2.3.2 – ‘a member appointed to be the Deputy Chair of the Council and the Executive Committee, in accordance with 3.3.2;’	12/07/19
15	An additional clause, 2.3.6 – ‘A representative from the Consumer Advisory Group, appointed through an Expression of Interest process in accordance with the usual procedures of the College;’	12/07/19
16	Amendment to Clause 3.3.1.c – reduction in total additional members to Executive Committee other than Chair and Deputy Chair to seven (7)	12/07/19
17	Amendment to Clause 6.3 – ‘report to the Council CPAC at their face to face meetings’	12/07/19
18	Amendment to Clause 6.4 – ‘All policy and advocacy bodies in the College will provide advice to and report to the CPAC, keeping the CPAC informed of delegated matters on a noting basis. The policy and advocacy activities of College Bodies will be subject to CPAC approval, as appropriate, as stated in clause 1.4.’	12/07/19

19	Amendment of Clause 2.3.5 with the addition of the Chair of the Aboriginal and Torres Strait Islander Health Committee, or their delegate, under the composition of CPAC	10/07/20
20	Amendment of Clause 2.3.6 with the addition of the Chair of the Māori Health Committee, or their delegate, under the composition of CPAC	10/07/20
21	Amendment to Clause 3.3.1 to increase the CPAC EC membership up to 11, but no less than 9, including the Chair and Deputy Chair	10/07/20
22	Amendment to Clause 3.3.3, updated to outline the CPAC EC membership composition to reflect the amendment to Clause 3.3.1, the increase in membership numbers, including gender balance and Indigenous and trainee representation.	10/07/20
23	Amendment to Clause 5.2, clarifying words around the format of CPAC EC meetings have been added.	10/07/20
24	Addition of Clause 6, of CPAC EC specific voting threshold arrangements.	10/07/20
25	Amendment to Clause 5.1, updated to reflect only one face to face meeting to be held per year following Board decision on 11 December 2020	11/12/20
26	Amendment to Clause 2.3.2 and 3.3.3 to amend the process to appoint the Deputy Chair position in line with standard College procedures.	23/06/23
27	Updated template to new College governance template	23/06/23
28	Amendment to Clause 2.3.1 to reflect the change of appointment process to appoint Chair of the Council.	26/07/2024
29	Added Clause 2.3.3 to reflect the revision to the Board member position being a member and no longer the Chair	26/07/2024
30	Added Clause 5.3 to clarify the Chair or their appointee will Chair all meetings	26/07/2024
31	Added Clause 5.4 to clarify the change of process to appoint Chair of the Council in line with standard College nomination procedures.	26/07/2024