



Australian Government

National Mental Health Commission

Terms of Reference NMHC Advisory Council

Background

The National Mental Health Commission (the Commission) seeks to increase accountability and transparency in mental health and wellbeing through monitoring and reporting on investment in mental health and suicide prevention, and the provision of policy advice to the Australian Government.

The Commission's key strategic objectives are to:

- Provide strategic leadership and accountability on performance
- Improve the mental health service delivery system
- Tackling prevention and addressing societal determinants

In the 2024-25 Budget, the Government announced the next steps in the reform of the Commission. As an interim step, the Commission transferred into the Department of Health, Disability and Ageing (the Department) as a non-statutory office on 30 September 2024. Having consulted stakeholders, the Government is continuing to consider the Commission's future arrangements.

Purpose

The Commission is establishing the NMHC Advisory Council (Advisory Council) for an initial period of three years to support the pursuit of better mental health outcomes for the Australian community through effective prevention and better interventions.

The Advisory Council provides a representative based, collaborative environment for consultation and is comprised of key stakeholders – mental health peak and representative bodies for the mental health workforce, lived experience and disproportionately impacted population groups.

The Advisory provides advice to the Commission to inform the Commission's work. This may include:

- providing advice on Commission projects
- reviewing and providing feedback in relation to draft plans, papers and reports
- advising on potential project risks and mitigation strategies
- identification of opportunities to improve the mental health system
- providing strategic advice in relation to the mental health system.

The Advisory Council has no legal accountability for Commission work or authority to direct Commission action. The Advisory Council augments sector consultation and does not replace existing consultative mechanisms between the Commission and its stakeholders.

Timeframes

The Advisory Council will be established for an initial period from 1 February 2026 to 31 December 2028.

Governance pathways, reporting and escalation

The Advisory Council reports to the Commission through the Chair, the CEO of the Commission.

Membership

Members are appointed based on their role within a key stakeholder organisation, or their individual skills, knowledge and expertise. All members are appointed at the discretion of the Commission.

The Advisory Council comprises the following members:

- National Mental Health Commission – CEO (Chair)
- Mental Health Australia (MHA) – *designated role*
- The National Mental Health Consumer Alliance (NMHCA) – *designated role*
- Mental Health Carers Australia (MHCA) – *designated role*
- Indigenous Australian Lived Experience Centre (IALEC) – *designated role*
- Gayaa Dhuwi (Proud Spirit) Australia – *designated role*
- Australian Council of Social Service (ACOSS) – *designated role*
- A representative of LGBTQIQ+ Health Australia
- A representative of the Primary Health Network (PHN) Cooperative
- A representative with CALD expertise
- Two individuals with expertise in service delivery
- A representative with expertise in prevention of mental health concerns.
- A representative with expertise in biostatistics or data management
- A representative with expertise in evaluation or implementation science.
- A representative with expertise in mental health research
- A representative with experience accessing services
- A representative with experience within the disability sector
- The Chair of the Commission's Jurisdictional Advisory Committee
- Chairs of any subcommittees created by the Commission (for the duration of the subcommittee)

Responsibilities

The responsibilities of members include:

- Seeking to ensure that various perspectives are given full consideration within the Advisory Council.
- Providing clear advice to the Commission, acknowledging that there may not always be a consensus view.

- Recognising and informing the Advisory Council of the limits of their knowledge in providing advice.
- Providing timely feedback to the Commission, both out of session and at meetings.
- Where appropriate and agreed with the Chair, seek advice from their own networks on Council matters.
- Attending Advisory Council meetings and where unable to attend, notifying the secretariat in advance to the extent possible.

The Commission will convene and support the operation of the Advisory Council and stand-up subcommittees that focus on emerging problems or areas requiring focused effort, as required.

Meetings

The Advisory Council will meet up to four/six times a year. Additional meetings can be called at the discretion of the Chair when required to deliberate on key deliverables. Meetings will typically be two-hours in duration, although longer meetings may occasionally be scheduled if required. Members are expected to inform the Commission if they are unable to attend. Members unable to attend a meeting are encouraged to nominate a proxy.

Meetings will typically have a hybrid attendance format, with members able to attend either virtually or in person at one of the Commission's office locations depending on their preference. Members will be responsible for their own travel expenses if attending meetings in person, except where the Commission has specifically requested members to attend in person (see below).

The Commission may occasionally request all members to attend a meeting in person, in cases where in-person attendance will support a more productive discussion. The Commission will cover travel costs for members to attend meetings in these circumstances. The Secretariat will book any flights and accommodation required for members to attend such meetings in accordance with the Commission's travel policies.

A quorum will consist of a majority of Members, or their proxy, and the presence of the Chair. The quorum must be in place at all times during the meeting.

Urgent matters that cannot be deferred until the next meeting can be managed as an out-of-session paper or request. The out-of-session paper/request will be sent to members via email with a requested response date.

Role of the Chair

The Advisory Council will be chaired by the CEO, National Mental Health Commission.

The Chair is responsible for:

- Approving the agenda for meetings
- Providing an Acknowledgement of Country and recognition of lived experience at the beginning of meetings
- Overseeing the orderly performance of business based on the agenda
- Facilitating discussion during meetings
- Ensuring a quorum is present during meetings

- Deciding appropriate actions following a declaration of a real, apparent or potential conflict of interest.

Non-member attendees

The Chair may, from time to time, invite other individuals or groups to attend meetings as expert advisers or observers. The invitation may extend to attend a portion or the whole meeting. Members may only invite an observer or a support person (to assist with a presentation for example) with the express approval in writing of the Chair. Requests can be made via the secretariat.

Secretariat

The Commission will provide secretariat support to the Advisory Council.

Secretariat support includes:

- Developing and circulating meeting schedule in consultation with the Co-chairs and members
- Arranging meetings as required
- Developing the agenda for each meeting in consultation with the Chair
- Recording minutes of meetings
- Distributing meeting papers and minutes at least five days prior to the next meeting
- Following up on agreed actions
- Maintaining a records of papers, circulating papers and recording responses from members.

The Secretariat can be contacted via Joshua.Lodge@mentalhealthcommission.gov.au.

Sub-committees

The Commission may create subcommittees to assist the work of the Advisory Council. Subcommittees undertake work and provide advice to the Council and the Commission on specific issues, including emerging issues and areas requiring focused effort, such as mental health research, lived experience or service provision.

Members of subcommittees are appointed by the Commission at its discretion and may include persons/organisations that are not members of the Advisory Council.

Reimbursement and expenses

Paid Participation Policy

The [Commission's Paid Participation Policy](#) provides for payment for participation of people with lived experience when they are personally nominated or invited to give expert advice and share their personal, representative and professional experiences to inform the Commission's work. This includes travel and accommodation costs, and reasonable associated out of pocket expenses where relevant.

In line with the Commission's paid participation policy, individual members of the Advisory Council or subcommittees who are not attending in a recognised capacity of their employment and are otherwise eligible may be remunerated.

Conflicts of Interest

If a member has a real, apparent, or potential conflict of interest relating to a matter before the Council, that member is required to declare it to the Chair. If the Chair concurs that a member faces a real, apparent, or potential conflict of interest, the member will not participate in the consideration of the matter. Details of interests declared, and actions taken, will be recorded in the minutes.

Members may be required to make a deed poll in lieu of their confidentiality, conflict of interest, and privacy obligations as a member of the Advisory Council.

Confidentiality

The Advisory Council may consider and discuss material that is of a sensitive or commercial nature. Members and attendees acknowledge their responsibility to maintain confidentiality of all material that is not in the public domain. Meeting minutes prepared by the Secretariat are to be kept confidential.

Review and Evaluation Mechanisms

The effectiveness of the Advisory Council will be evaluated annually. Evaluation may incorporate feedback from members via a survey tool. Internal stakeholders that interact with the Advisory Council, will also be invited to contribute to the evaluation of the Advisory Council's effectiveness.

Amendment to the Terms of Reference

The Terms of Reference will be reviewed annually by the Commission.