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| Class A cemetery trust chairperson position description |
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Class A cemetery trust chairpersons represent the local communities in which the trust and its cemeteries are located and have a range of skills and experience in areas relevant to the governance of public bodies.

The board of a cemetery trust is responsible for the oversight and conduct of its members, employees and contractors. It is also ultimately accountable for the performance and governance of the organisation, including general oversight of operations and finances.

Trust chairpersons are expected to act in good faith, in the public interest, fairly and impartially, with honesty and integrity.

The Victorian Government is committed to ensuring that government boards and committees reflect the rich diversity of the Victorian community. We encourage applications from people of all ages, Aboriginal people, people with disability, people from culturally and linguistically diverse backgrounds and from lesbian, gay, bisexual, trans, gender diverse, intersex and queer people. We will provide adjustments to the recruitment process upon request.

# About Class A cemetery trusts

All public cemeteries in Victoria are governed and managed by cemetery trusts. A cemetery trust is established under s. 5 of the *Cemeteries and Crematoria Act 2003* (the Act) as a body corporate entity with perpetual succession. In Victoria, cemetery trusts are divided into Class A and Class B trusts.

Class A cemetery trusts govern large public cemeteries and have significant financial responsibilities with corresponding reporting and accountability requirements. Each Class A cemetery trust is subject to controls set out in the Act and other legislation generally applicable to public bodies, including but not limited to the *Financial Management Act 1994*, the *Audit Act 1994* and the *Public Administration Act 2004*.

Class A cemetery trusts are self-funding independent statutory bodies controlled by a board of appointed members and chairpersons. Cemetery trusts serve the community by providing cemetery and crematoria services and maintaining public cemeteries within their control.

There are three regional and two metropolitan Class A cemetery trusts in Victoria.

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| Regional Class A cemetery trusts | Metropolitan Class A cemetery trusts |
| * Ballarat General Cemeteries Trust * Geelong Cemeteries Trust * Remembrance Parks Central Victoria | * Greater Metropolitan Cemeteries Trust * Southern Metropolitan Cemeteries Trust |

# Functions

Class A cemetery trusts are separate legal entities but are expected to work collaboratively with the department to ensure that cemetery and crematoria services meet the needs and expectations of the community and government.

The functions of Class A cemetery trusts are prescribed under s. 12A of the Act as follows:

1. to properly and efficiently manage and maintain each public cemetery for which it is responsible;
2. to develop, in accordance with this Act, annual plans and strategic plans for the operation of the trust and to monitor compliance with those plans;
3. to develop annual business plans, strategies and budgets to ensure the efficient and accountable provision of services under the Act and the long term viability of the cemetery trust;
4. to establish and maintain effective systems to ensure that—
   1. the services provided by the cemetery trust meet the needs of the communities which it serves; and
   2. the views of those communities are taken into account;
5. to oversee the organisational structure of the cemetery trust;
6. to employ a chief executive officer (by whatever title called) for the effective operation and management of the cemetery trust and each public cemetery for which it is responsible;
7. to monitor the performance of the chief executive officer;
8. to ensure there are systems in place to enable effective and accountable risk management, financial management and records management of the cemetery trust;
9. to provide leadership, assistance and advice as requested to listed Class B cemetery trusts;
10. to establish committees in accordance with the Act and ensure those committees operate effectively;
11. to ensure the Secretary is informed as soon as practicable of—
    1. any significant issues of public concern in relation to the cemetery trust, cemetery or crematoria services provided by that cemetery trust or the public cemeteries for which that cemetery trust is responsible; or
    2. any significant risks that affect, or may affect, the cemetery trust or cemetery or crematoria services provided by that cemetery trust or the public cemeteries for which that cemetery trust is responsible;
12. to develop or adopt a code of conduct for members of the cemetery trust and for staff of the trust;
13. to ensure members of the cemetery trust receive adequate training to enable them to meet their obligations as members of the cemetery trust;
14. to carry out any other function conferred on a Class A cemetery trust by or under this Act or any other Act.

In addition to these functions, Class A cemetery trusts may be required to provide assistance and advice to Class B trusts in accordance with s. 18J of the Act, regarding:

* operational and governance matters relating to cemeteries
* record-keeping systems suited to the requirements of cemetery trusts
* standard form documentation suitable for cemetery trust purposes
* tendering and contracting processes and requirements.

# About Class A cemetery trust boards

A board of a cemetery trust is accountable to the Minister for Health and sets the strategic direction for the organisation for which it is responsible in line with government policy.

The board of a cemetery trust is responsible for the oversight and conduct of its members, employees and contractors. It is also ultimately accountable for the performance and governance of the organisation, including general oversight of operations and finances.

The board of a cemetery trust is comprised of between six and nine members, including the chairperson, appointed by the Governor in Council on the recommendation of the Minister for Health, under s. 6A of the Act.

The role of the cemetery trust board is to steer the cemetery trust by:

* performing a strategic role of setting the overall operational direction of the cemetery trust
* performing a stewardship, ethics and assurance role, ensuring that the cemetery trust’s activities reflect public sector and community values
* ensuring the trusts policies are in line with government policy requirements
* performing an oversight role, ensuring care, accountability and transparency
* performing a risk management role
* having clear employment principles
* having appropriate arrangements in place to meet statutory obligations
* observing existing legal requirements.

Each Class A trust has a chief executive officer who is responsible for implementing the board’s policy decisions, providing advice where sought by the board, overseeing day-to-day management of the organisation and reporting on the organisation’s performance.

Class A cemetery trusts offer flexible work options for meeting attendance via telephone, video conferencing or online platforms,

# Duties and responsibilities

Class A cemetery trust chairpersons are responsible for:

* leading the cemetery trust
* ensuring each public cemetery for which the trust is responsible is managed properly and efficiently
* ensuring services provided by the cemetery trust meet the needs of the communities which it serves
* develop and monitor compliance with annual and strategic plans for each public cemetery for which the trust is responsible
* working closely with the department to ensure strategic challenges facing the sector are identified and managed
* ensuring systems are in place to enable effective and accountable risk management, financial management and records management
* monitoring the performance of the chief executive officer
* identify, monitor and escalate any significant risks or issues of public concern relating to services provided by that cemetery trust
* ensuring trust members are provided with appropriate support and induction to enable them to understand and discharge their role, responsibilities and accountabilities
* leading trust members and developing them as a cohesive and effective team
* ensuring all trust members actively participate in the governance of the trust
* maintaining a skills matrix of all trust members, including the chairperson, to assist with succession planning
* facilitating discussions at trust meetings by ensuring all trust members have the opportunity to speak, meetings are managed appropriately and ensuring decisions are properly understood and minuted
* taking appropriate steps to address and resolve conflict within the trust
* managing potential conflicts of interest appropriately by ensuring disclosed conflicts of interest are recorded in the meeting minutes and that any trust member who has disclosed a conflict of interest takes no further part in the discussion of or vote on any matter relating to the conflict of interest
* managing the principal relationships of the trust
* ensuring media comments are made in accordance with trust policies and procedures
* maintaining impartiality during the investigation and resolution of complaints
* providing advice and leadership to Class B cemetery trusts
* making decisions in good faith by being adequately informed about trust matters and exercising their judgement in the best interest of the trust
* acting in the best interests of the trust and the communities it serves.

# Required skills and experience

To effectively carry out the duties of a Class A cemetery trust chairperson, the following skills and experience are required:

* Leadership
* Corporate governance
* Strategic planning and thinking
* Financial management and analysis
* Community engagement
* Stakeholder management
* Communication, negotiation and influencing
* Risk management

# Other skills and experience

Although not required, the following skills and experience may be advantageous in the role of a Class A cemetery trust chairperson:

* Knowledge of sector
* Lived experience
* Culturally or linguistically diverse
* Knowledge of cultural/faith groups
* Business development
* Accounting
* Audit
* Legal
* Infrastructure planning and project delivery
* Facilities management
* Land acquisition management
* Public sector knowledge
* Government liaison
* Change management
* Human resources management
* Familiarity with diverse community groups
* Sales and marketing

# Selection criteria

## Leadership expertise

* Experience successfully leading a group in a role relevant or equivalent to that of a chairperson
* Highly developed interpersonal skills including effective communication, emotional intelligence, influencing, negotiation and conflict resolution
* Behaves in a professional and ethical manner and upholds public sector values

## 2. Board experience and corporate governance skills

* Extensive experience on public company, community and/or statutory authority boards and committees
* Comprehensive understanding of the objectives, roles, duties and obligations of non-executive directors
* Familiarity with financial reporting for boards/committees and ability to identify financial risks

## 3. Community engagement experience

* Experience in community-focussed work or volunteer activities
* Commitment to supporting and improving community services
* Appreciation of the role of the cemetery trust within the community

## 4. Strategic capabilities

* Capacity to think and act strategically
* Experience making decisions that support strategic goals
* Broad understanding of business challenges and sector trends

## 5. Stakeholder management experience

* Experience leading effective consultation and collaboration with stakeholders
* Appreciation of the underlying sensitivities that impact on the delivery of services
* Ability to manage sensitivities in an effective yet compassionate manner

# Position terms and conditions

## Meeting attendance

Class A trust chairpersons must attend:

* a minimum of 75 per cent
* sub-committee meetings.

Class A trust chairpersons are expected to attend, where possible:

* the annual general meeting
* strategic planning days
* trust events.

## Training

There is an expectation that chairpersons will make themselves available to attend training provided specifically for Class A trusts by the department.

## Declaration of private interests

Class A trust chairpersons are required to disclose any pecuniary interests or other interests that could conflict with the proper performance of their duties. Each trust chairperson must complete a ‘Declaration of private interests’ form each year, and whenever there is a material change in their interests.

## Legal obligations

Class A trust chairpersons have legal obligations and duties under common law and under the constituting legislation, being the *Cemeteries and Crematoria Act 2003*, Cemeteries and Crematoria Regulations 2015, *Public Administration Act 2004* and other relevant state and federal legislation.

Class A trust chairpersons are bound by the [Code of Conduct for Directors of Victorian Public Entities](https://vpsc.vic.gov.au/resources/code-of-conduct-for-directors/) available on the Victorian Public Sector Commission website <https://vpsc.vic.gov.au/resources/code-of-conduct-for-directors/>.

## Term of appointment

The Act provides for chairpersons of the board to hold office for not more than three years from the date of appointment. Please note that in accordance with good governance practices, periods of appointment may vary to ensure continuity within the trust and sufficient opportunities for the appointment of new trust chairpersons.

## Remuneration

As part-time Governor in Council appointments, Class A cemetery trust chairpersons are eligible to be paid in accordance with the government’s [Appointment and Remuneration Guidelines](https://www.vic.gov.au/guidelines-appointment-remuneration) (the Guidelines) available on the Department of Premier and Cabinet website <https://www.vic.gov.au/guidelines-appointment-remuneration>. The Guidelines set a remuneration scale linked to the size and turnover of statutory bodies. Refer to the table on the last page for current remuneration rates.

Trust chairpersons who are also public sector employees, whether full-time or part-time, are only eligible for remuneration for their service on a trust in certain circumstances as detailed in the Guidelines.

Remuneration rates for Class A trust chairpersons current at 1 July 2023 are as follows:

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| Regional Class A cemetery trust chairperson | $14,482 p.a. |
| Metropolitan Class A cemetery trust chairperson | $38,988 p.a. |

## Travel and person expenses

A chairperson of a Class A cemetery trust is entitled to receive reimbursement of reasonable expenses incurred.

# Contact

If you have any enquiries regarding the information provided in this position description, please contact:

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| To receive this document in another format, phone 1800 034 280, using the National Relay Service 13 36 77 if required, or [email the Cemetery Sector Governance Support Program](mailto:cemeteries@health.vic.gov.au) <cemeteries@health.vic.gov.au>.  Authorised and published by the Victorian Government, 1 Treasury Place, Melbourne.  © State of Victoria, Australia, Department of Health, August 2023.  ISBN 978-1-76069-083-0 (pdf/online/MS word)  Available at [Class A trust member appointments](https://www.health.vic.gov.au/cemeteries-and-crematoria/class-a-cemetery-trust-appointments) <https://www.health.vic.gov.au/cemeteries-and-crematoria/class-a-cemetery-trust-appointments> |