

# **The Ministerial Advisory Council on the Federal Initiative to Address HIV/AIDS in Canada**

## **Terms of Reference**

### **Mandate**

The Ministerial Advisory Council on the Federal Initiative to Address HIV/AIDS in Canada provides evidence-based strategic policy advice to the Minister of Health (hereafter referred to as the Minister) on the Federal Initiative to Address HIV/AIDS in Canada.

### **Role**

1. To provide strategic policy advice responsive to identified ministerial priorities pertaining to domestic HIV/AIDS issues.
2. To advise on the key issues related to the implementation of the Federal Initiative and to support its effectiveness by contributing to outcomes and by ensuring flexibility to meet changing circumstances.
3. To advise on current and emerging issues in HIV/AIDS related to the specific needs and vulnerabilities of key populations at risk of HIV infection and those affected by HIV and AIDS; respect for human rights; diagnosis, prevention, care, treatment and support, public health, coordination of Canada's domestic response; and coherence with the international response.

### **Reporting and Scope**

The Council provides independent, non-partisan, evidence-based advice to the Minister on pan-Canadian aspects of HIV/AIDS.

The Council employs a variety of tools to generate a range of communication products, (e.g. correspondence, meeting minutes, reports, policy papers), as means to provide policy advice to the Minister. These products are considered as confidential advice to the Minister and their release and dissemination are therefore subject to the Minister's review and approval.

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The Minister will meet at least once a year with Council to review, discuss, and consider its advice.

Council members may be invited by Federal Initiative partners to participate in an advisory capacity in developing and reviewing various policy positions and documents related to HIV/AIDS. The Council has no decision-making authority over operational and regulatory functions or programs, and is not an implementation mechanism.

## **Membership**

### **(A) Appointments and Structure**

The Minister will appoint a maximum of 15 members to the Council who will demographically reflect ethnocultural diversity, gender, and regional balance. Efforts will be made to ensure adequate representation of people living with HIV/AIDS.

The Minister will appoint co-chairs, one of whom will be a person living with HIV/AIDS, from Council membership.

To ensure that Council's advice includes the consideration of federal, provincial, and territorial views, the provincial co-chair of the F/P/T Advisory Committee on AIDS will hold an ex-officio position.

To provide technical advice and to facilitate coordination, one or more officials from the Public Health Agency of Canada may hold ex officio positions. Federal, provincial, and territorial government observers may attend meetings, as required.

Council membership will be comprised of professional/technical experts to be drawn from the private sector, biomedical research, clinical trials, psycho-social research, the health care sector (e.g. education, primary care physicians/nurses, regional/public health).

Other members will be drawn from national HIV/AIDS organizations, community HIV/AIDS organizations and front-line workers. These members should have expertise in prevention, diagnosis, care, treatment and support issues; ethics/law/human rights and/or international issues; or knowledge and experience with one or more groups of the key populations vulnerable to and living with HIV/AIDS.

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## **(B) Member Selection**

In selecting members, consideration will be given primarily to the following:

- individual expertise in a number of issues that reflect the diverse realities of HIV/AIDS in Canada and, in particular, knowledge and/or “front-line” experience concerning emerging key populations vulnerable to and living with HIV/AIDS; and
- the need for an overall balance of expertise on the Council.

## **(C) Accountability**

Although Council members will be expected to conduct themselves as independent experts, an affiliation with a national stakeholder organization, community organization, business, or institution that supports HIV/AIDS activities will enable a strong foundation for the provision of policy advice. This advice is to reflect the experience and needs of those infected with and affected by HIV/AIDS, including those key populations vulnerable to and living with HIV/AIDS, as well as those working in the field.

Members bear responsibility to address the needs of the plurality of individuals, communities, and sectors infected with and affected by HIV/AIDS, while rising above any corporate interest with which they might be affiliated. Members are positioned to reflect the health care needs and interests of key populations vulnerable to and living with HIV/AIDS. For this reason, it is essential to include individuals with valuable knowledge and experience, but who may not have an affiliation with a recognized HIV/AIDS organization.

## **(D) Terms of Appointment**

The Minister will appoint members usually for a term of one to two years. Appointments will be scheduled to ensure continuity, as well as systematic rotation of membership to respond to changes in the environment. At the Minister’s discretion, the mandate, terms of reference, and membership of the Council may be reviewed and adjusted.

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## **Committees and Working Groups**

The Council may establish an executive committee, standing committees, and working groups to assist its work. Standing committees and working groups must include at least one Council member and will report to the co-chairs of the full Council.

## **Conflict of Interest**

All Council members must comply with Health Canada guidelines on conflict of interest.<sup>1</sup> While it is acceptable for Council members to be affiliated with an HIV/AIDS organization, individuals must conduct themselves as independent experts to avoid a potential conflict of interest. For example, Council members who are affiliated with an HIV/AIDS organization in receipt of government funding will be in conflict of interest were they to influence Council in a way that would benefit that organization.

## **Confidentiality**

All members are expected to hold in confidence the conduct of Council's activities, including advice offered to the Minister, unless there is explicit agreement by the Minister to make such information public.

## **Dispute Resolution**

To resolve any occurring and/or anticipated disputes, Council members are to encourage open and forthright examination of all issues and, when considering conflicts among competing interests, act in the greater interest of key Canadian populations vulnerable to and living with HIV/AIDS. In addition, Council members are to mediate and strive for consensus when addressing emerging issues that call for a shift in limited resources.

## **Responsibilities**

### **(A) Members**

- bring experience and expertise in support of the delivery of the intended outcomes

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<sup>1</sup> Health Canada, Corporate Services Branch, *Policy Guide for the Management of Advisory Committees in Health Canada*, Section 3.2 and Appendix 3, 23 June 1997.

of the Federal Initiative;

- work positively, co-operatively, and respectfully with other Council members, observers, and secretariat staff;
- respect and support Council decisions once consensus has been reached;
- serve on at least one committee or working group so as to provide a direct link between the Council and working groups or standing committees;
- abide by Health Canada conflict-of-interest guidelines; and
- exercise and comply with Government of Canada policy (e.g. Treasury Board travel policies) in all Council activities.

### **(B) Council**

- provides unbiased, non-partisan, evidence-based strategic policy advice to the Minister;
- establishes Council's objectives, work plan, and timetable annually; and
- produces an annual report on Council performance against work plan objectives.

### **(C) Public Health Agency of Canada Support**

- provides administrative support and coordination for Council activities (e.g. meeting preparation, accommodation, transportation, publications, teleconferences, etc.);
- assists in developing and employing Council's work plan as a means of remaining focussed on priorities in meeting Council's objectives;
- assists Council in bringing experience and expertise in support of the delivery of the intended outcomes of the Federal Initiative;
- collaborates with the Council in an open and transparent manner;
- provides timely access to all available public documentation related to Federal Initiative activities; and
- provides advice on compliance with Government of Canada policies.