



Code of Conduct

Incorporated May 29, 1989

ABN 21 902 498 771

Endorsed as Public Benevolent Institution & Deductible Gift Recipient [DGR]

Charitable Collections Licence No. 20543

Donations over \$2 Tax Deductible

FDSG

-Final Sept 2009

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Fairholme Disability Support Group Inc.

CODE OF CONDUCT

Background

Incorporation

Fairholme Disability Support Group Inc was previously known as Parents and Friends of Fairholme Association Inc. and was incorporated in accordance with provisions of the Associations' Incorporations Act 1987 (section 9 (1)) on the May 29 1989. The name change became effective from September 22, 2003.

Introduction

This Code of Conduct (Code) has been prepared and endorsed to promote good practice. It provides Fairholme Disability Support Group Inc members a summary of their obligations and provides guidance about ethical conduct. The Code is part of the Group's governance structure, which is first and foremost about people and their ability to work together to achieve organisational objectives.

Further it takes years to build trust and a good reputation/image, and seconds to ruin it.

This Code must be read in conjunction with the Group's Constitution, Stewardship Principles and Practices, Policies and other nominated documents including legislation.

In this Code, "Member" means a Member of the Fairholme Disability Support Group Inc.

In this Code, Group means the Fairholme Disability Support Group Inc.

An appointment to the Group's Executive [Management Committee] and/or any other Committee or Working Group Members carries with it significant responsibilities and obligations. Ignorance about those responsibilities can damage both the individual and the Group. People chosen in particular as Management Committee] and/or any other Committee or Working Group Members shall fully understand their responsibilities. This can only assist to contribute in a positive way.

The Code includes information on ethical issues likely to confront Members and provides practical guidance. As the Group has chosen to adopt this Code, then it shall be observed and complied with, to the extent that it obliges compliance.

A Member may not direct any person to act contrary to the Code of Conduct.

Members shall:

- Acknowledge and respect the legitimate interests of the Group concerning its role and operations this includes but not limited to the Group's mission, values, associated strategic plans and projects.
- Ensure lawful decisions made by the Group are followed.

1. Personal Behaviour

Members are in a position of trust and therefore their involvement may affect the welfare, rights or entitlements of the community and individuals.

The Group's capacity to function depends on the support of the public, who expect Members to carry out their functions with professional integrity and due regard for the public interest. All Members therefore need a clear understanding of their public duty and legal responsibilities.

Members shall:

Understand the Group's Role and Public Duties

- Gain a clear understanding of the role or purpose of the Group by having read, and understood its Constitution Stewardship Principles and Practices, Policies and any other nominated documents as well as the statutory and regulatory requirements of Members carrying out their duties.
- Develop an understanding of the physical, political, social and ethical environment in which the Group operates.
- Stay informed about all relevant activities affecting the Group
- Comply with legal obligations and implement the decisions taken by the Group.
- Not represent the Group unless duly authorised.

Be Active

- Attend all Group meetings. Where attendance is not possible Members should submit an apology. If absence is likely to extend for several consecutive meetings, Management Committee] Members shall obtain leave of absence.
- Participate actively and work cooperatively with fellow Members and stakeholders to achieve agreed goals.
- Prepare for meetings by reading and considering papers circulated with the agenda.

Respect Each Other

- Treat each other with professionalism, courtesy and respect.
- Not improperly influence other Members.
- Act loyally and in good faith.

Consult

- Consult stakeholders and affected parties about issues under consideration.

Raise Concerns

- Express concerns to the Chairperson about decisions or actions contrary to the Group's Constitution.
- Bring to the Chairperson's attention if you do not understand any matter and seek detailed explanation until fully informed.
- Disclose any information about actual or potentially corrupt or illegal activities to the Chairperson.

2. Corporate Governance [Accountability]

The Associations' Incorporation Act 1987 places a responsibility on Members to ensure efficient and effective operations to achieve desired outcomes. In this regard to sustain high credibility the Association requires numerous supporting management processes including but not limited to clear planning and direction, effective resource management including controls and appropriate and timely information, to meet effective corporate governance.

2.1 Accountability

Members shall:

- Act in a lawful, ethical and justifiable manner.
- Demonstrate personal integrity and reliability.
- Maintain confidentiality.
- Participate constructively in Group activities.
- Ensure action is taken on operational and financial audit reports.
- Ensure compliance with statutory and legal requirements.
- Analyse financial statements and management reports with due care, and ensure he or she is properly informed.

Management Committee

Further to that stated above Management Committee members have underlying principles with to their actions, these being:

- Trust and honesty.
- Care and Responsibility.
- Accountability and Transparency.
- Effectiveness.

As part of their role there are 10 questions, which each member must constantly ask themselves. These are detailed in Attachment 1.

To Whom the Management Committee is Accountable

- The Group
- The 'Consumers'
- Members
- Partners
- Funders
- The Community
-

Communication

Communication at all levels must be open and transparent and not on need to know basis and as such it has to be a two way process without the flow being unduly or unnecessarily restricted. Effective communication supports the development and continuing positive relationships with the Group's stakeholder community. As such it can and will be utilised to influence attitudes and behaviours within the wider community. This will be achieved by developing and sustaining an effective communication strategy.

2.2 Remuneration

Members shall not:

- Accept any fee, reward, gratuity, gift or remuneration of any kind other than fees or allowances being reimbursement of appropriate expenses on behalf of the Group.

2.3 Allowances

Accommodation and travel expenses

Members shall:

- Obtain approval for travel from the Group and record this in the minutes.
- Comply with the travel conditions and guidelines set out below and/or as determined from time to time:
 - Travel shall not be undertaken unless it is demonstrably the most cost effective and efficient method of performing the function or obtaining the information required.
 - Attendance at interstate or overseas conferences and courses shall be justified in the Group interest.
 - All travel proposals shall include a clear statement of the benefits to the Group, of such travel.
 - A one-page report to the Management Committee shall be made within seven days of return.
- Members shall be reimbursed travel and accommodation expenses as follows:
 - Travel costs as approved by the Group.
 - Accommodation, meals and out of pocket actual expenses, incurred on official business shall be reimbursed or booked and paid directly by the Group.

2.4 Entertainment and Catering

Any entertainment shall be consistent with the Group genuine needs and public duty. Members shall not gain financially as a result of entertainment. The Group shall ensure the efficient and responsible expenditure of funds.

Members shall ensure:

- Catering is limited to basic food and drink items.
- Members approving entertainment expenditure are responsible for its propriety and scope.
- Alcohol is not consumed during Group's meetings.
- Transparent consideration and due thought before accepting hospitality offered by suppliers or potential suppliers, to avoid actual or perceived conflicts of interest or undue influence.

2.5 Engaging Consultants / Contractors

It is important that the Group determines whether the person is to be engaged as an employee, or as a contractor.

An employee is engaged on a contract of service which implies an employer / employee relationship under which the Group is responsible for the person's wages, worker's compensation, PAYE tax installments and group certificate etc. A contractor

is engaged on a contract for service, which implies there is no employer / employee relationship. Accordingly a contractor submits an invoice for the service performed.

Members shall ensure:

- Persons employed under contracts of service shall be recruited, appointed and managed in accordance with good human resource management practices.
- Contracts for service shall be made in accordance with good commercial purchasing procedures.

3. Use of Resources

All vehicles, computers, furniture and other equipment purchased and/or leased by the Group remain the property of the Group and shall only be used for official purposes.

Members shall ensure:

- Equipment is operated in accordance with the manufacturer's specifications, is maintained in good condition and stored securely.
- Any damage or loss of property or equipment is reported immediately to the Club.
- Resources, funds, employees and equipment are used effectively and economically for the Group business. Official resources include, but are not limited to motor vehicles, computers, software, photocopiers, telephones, facsimile machines, printers and any similar items of office equipment.
- Requests by an external party to use the Group's facilities shall be referred to the Executive through either the Secretary or Chairperson for approval.

3.1 Frequent Flyer Points

Members shall:

- Use travel points accumulated on the Group's business under frequent flyer or other programs to further the Group objectives.
- Should only accept travel incentives for the Group's benefit, including future free travel.

3.2 Purchasing of Goods and Services

Members shall when delegated to purchase goods and services comply with the following guidelines.

Expected value	Required action
\$0 - \$5,000	Verbal quotations [minimum of 3] should be sought and documented.
Over \$5,000	Formal written quotations [minimum of 3] should be sought from different suppliers.

Members are encouraged to seek advice and assistance when delegated to purchase goods and services.

3.4 Incurring Expenditure

Those incurring expenses shall be authorised by the Management Committee.

Members shall not approve their own expenditure for travel claims, credit card payments, private telephone subsidies and similar. These shall be referred to the Group for approval.

4. Record Keeping and Use of Information

All documentation produced by the Group forms part of the public record.

Members shall ensure records are properly organised and kept in safe custody.

4.1 Documentation of Decisions

All decisions affecting the policy, practice and welfare of the Group shall be transparent. Decisions and processes shall be documented. Documentation protects all parties involved in a decision, both collectively and individually.

The Group shall:

- Prepare and retain minutes for all official Group meetings.
- Ensure adequate procedures are observed for documenting decisions, events and transactions involving the Foundation.

4.2 Use of Confidential Information

The Group discusses sometimes highly sensitive matters. These may be discussed with only Members present and in strict confidence. Nevertheless all decisions shall be documented and appropriate minutes prepared, while according certain records an extra level of security.

The Group shall:

- Ensure confidential records are subject to appropriate access procedures.
- Respect confidential information and observe any restrictions agreed by the Group.
- Maintain confidentiality and not divulge information deemed confidential or sensitive. If Members are uncertain they shall seek direction from the Chairperson.
- Not misuse information obtained in the course of the Group's duties for direct or indirect gain, or to do harm to other people or the Group.
- Respect the privacy of individuals.

4.3 Security of Information

While the Management Committee may be the primary person responsible for the storage and handling of records, all Members have individual responsibility for any document, tape, disc or other record in their custody. Records shall not be left in places where they may be seen by non-Members such as at home, office or motor vehicle.

Members shall:

- Ensure recorded information, in both paper and electronic form, under their control is kept in a secure place.
- Be cautious and do not leave Group records on fax machines, photocopiers or computer screens.
- Lock away sensitive documents rather than leave them lying on desks.

- Do not discuss/disclose any information that you have not been authorised to do so.
- Avoid discussing Group business in public places where there is a likelihood of being overheard.
- Dispose of duplicate copies of records no longer required in accordance with archive procedures.
- Once original documents have past their use by date they shall be destroyed by shredding.

4.4 Amendment or Falsification of Records

Members shall:

- Not falsify, destroy, alter or damage any record.
- Not backdate information or remove folios from files.

4.5 Access to Information

Members shall:

- Comply with the Constitution with respect to Members gaining access to documents; promptly and at the lowest possible cost, and ensure personal information held is accurate, complete and not misleading.
- Record facts in documents; avoid recording disparaging remarks and personal opinions about individuals; and removing documents from a file.

5. Conflicts of Interest

5.1 Gifts and Gratuities

Members shall not accept gifts or benefits likely to place them under an actual or perceived financial or moral obligation to other organisations or individuals.

Members shall:

- Not demand or accept in connection with their official duties any fee, favour, reward, gratuity or remuneration of any kind, outside the scope of their entitlements as a Member, unless authorised by the Chairperson.
- Not use their position for personal profit or gain.
- Not accept a gift if it could be seen by the public, knowing the full facts, as intended or likely to cause a member to act in a particular way or deviate from their duty.

5.2 Private Interests

Members are expected to place public interest above personal interests and not to use their position for personal gain.

Conflicts between private interests and public duties can arise when:

- A Member stands to make a financial gain from a Group decision.
- A Member's spouse, children or near relative stands to make a financial gain.
- A Member holds Membership of another organisation likely to benefit from a Group decision.
- A Member's spouses, children, near relatives or close associates are Members of an organisation affected by Group decisions.

Accordingly Members shall:

- Openly declare matters of a private interest such as investments, relationships, voluntary work and Membership of other groups that may conflict or be perceived to conflict with the Member's public duty.
- Record any issues of conflict to ensure they are transparent and capable of review.
- Disqualify themselves from any Group discussions and decisions [vote] where a conflict of interest has, or could occur.
- Where appropriate do not receive papers associated with the matter.
- Leave the room when the matter is being discussed.

The Secretary shall maintain a Members Declaration of Interest Register of associated activities to avoid any conflict of interest and ensure transparency.

6. Other

Registered Australian Business

The Group has been registered with the Australian Taxation Office [ATO] as an Australian Business since November 1, 1999 – ABN 21 902 498 771.

Deductible Gift Recipient

As the Group is for public benevolence and non-profit making the ATO allows any donation over \$2.00 to be tax deductible. This was by way of Group endorsement on September 14, 2007 as a deductible gift recipient [DGR] under section 30B of the Income Assessment Act 1907.

Charitable Collections Licence

The Department of Consumer and Employment Protection granted the Group a Licence No. 20543 to enable it to undertake collections from the public. The Group has a Code of Conduct associated with this activity to guide its practices in accordance with legislative and governance requirements.

7. Compliance with the Group's Code of Conduct

Members shall receive a copy of this Code of Conduct, read, understand and abide by it.

8. Compliance with the Group's Constitution

Members shall receive a copy the Constitution read, understand and abide by it.

Bevan Dellar

CHAIRPERSON:

Date: September, 2009

10 Questions for Management Committee must ask themselves.

1. Is there any conflict of interest relating to the issue before the Management Committee?
2. Do I have all the facts to make an informed decision? Or just projections or assumptions?
3. Is this a rational decision based on all the facts?
4. Is the decision in the best interests of the Group?
5. Is the communication to stakeholders transparent?
6. Is the Group acting socially responsibly? Will it be seen as a good corporate citizen?
7. Am I a good steward of the Group's assets?
8. Have I exercised 'intellectual honesty'?
9. Have I understood the material in the Group/Committee papers and discussions around the boardroom table?
10. Will the Committee's decision pass the front page of the paper?

Source: Mervyn King, The Corporate Citizen, 2006

Role and Responsibilities of the Management Committee**Duties and Responsibilities**

- Ultimate responsibility for the Group.
- As required by law to exercise due care and diligence to the Group - operationally and financially.
- Fiduciary duties.
- Managing risk.

Leadership

- Provide leadership and direction to the Group.
- Guardian of the Group's mission and vision
- Provide effective and timely communication to all stakeholders.

Decision Making

- Responsible for determining the Group's future direction and protecting its assets and reputation.
- Must consider the Management Committee's decisions in light of regulatory framework and member requirements.

Organisational Culture

- Key role in determining the values and ethics of the Group.

As the Group does not have Managers [paid employees] it must also undertake the following:

- Implement the Group's strategy.
- Manage the day-to-day management of the Group.
- Implement the Group's decisions and policies.
- Must enact the organisational ethos as determined.

Other Group Related Supporting Material

- Code for Effective Corporate Governance
- Financial Compliance including Public Fundraising Code
- Stewardship Principles and Practices
- Complaint Mechanisms – Policy and Operating Guidelines
- Privacy Policy
- Group's
 - Mission
 - Values
 - Annual Strategic Plan and Projects