



GOVERNANCE POLICY

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SECTION 1 GOVERNANCE POLICY FRAMEWORK

1.1 Policy statement

Tropical Fruits (TF) is governed by a voluntary Management Committee (the Committee) acting on behalf of members of Tropical Fruits. The Management Committee is responsible for and committed to providing effective oversight of the organisation, setting the strategic direction and ensuring organisational viability.

1.2 Purpose and scope

The purpose of this Governance Policy is to provide guidance to Tropical Fruits in developing and implementing governance systems to ensure compliance with relevant legislation, funding and financial obligations, and that the organisation meets the needs of its members.

This policy applies to all Tropical Fruit's staff, volunteers and Management Committee Members.

1.3 Definitions

Management Committee	The legally responsible managing body of the organisation.
Constitution	Set of written rules or an agreement governing the aims of the organisation, how it will be run and how the members will work together.
Governance	Rules and structures setting out how an organisation is managed.
Ordinary Management Committee Member	A Management Committee Member who does not have a formal title, such as the Chairperson, Event Coordinator, Treasurer or Secretary.
Tenure	Term limit relating to the number of years a Management Committee Member is eligible to stay on the Management Committee.

1.4 Principles

- Tropical Fruits views good governance and management practice as essential to fulfilling its goal in a responsible manner.
- The Management Committee conducts its affairs legally, ethically and with transparency.
- Management Committee membership diversity in skills and experience is valued.

1.5 Outcomes

- Tropical Fruits governance practice contributes to a quality, community-driven organisation.
- Tropical Fruits goals and stated outcomes are fulfilled.
- Organisational risks and legal obligations are identified and managed through policies, procedures and practice improvement.

1.6 Delegations

Management Committee	<ul style="list-style-type: none">• Endorse and ensure compliance with Tropical Fruits Governance Policy and its procedures.
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	<ul style="list-style-type: none"> • Understand and manage organisational legal responsibilities. • Monitor Tropical Fruits financial, risk, compliance, human resources, work health and safety and program delivery practices. • Develop the strategic direction of the organisation in partnership with the Club Manager and align it to Tropical Fruits Constitution. • Undertake Management Committee self-assessment and improve on governance practices. • Club Manager performance management.
Staff and volunteers	<ul style="list-style-type: none"> • Compliance with Tropical Fruits Governance Policy and its procedures. • Operational implementation of Tropical Fruits financial, risk, compliance, human resources, work health and safety, and program delivery practices. • Contribute to the development of the strategic direction of the organisation in partnership with the Club Manager and align it to Tropical Fruits Constitution. <p>Club Manager</p> <ul style="list-style-type: none"> • Develop the strategic direction of the organisation in collaboration with and direction from the Management Committee.

1.7 Policy implementation

This policy is developed in consultation with Tropical Fruits Management Committee members and staff and is approved by Tropical Fruits Management Committee. All Management Committee members and employees are responsible for understanding and adhering to this Governance Policy and its procedures.

Specific monitoring and support activities undertaken are:

- New Management Committee Members are provided with an orientation to the Committee, including an information package and opportunity to meet with the Chairperson and the Club Manager.
- Regular Management Committee self-assessment and development activities.
- Annual schedule of Management Committee meetings with documented terms of reference.

1.8 Risk management

This Governance Policy and its procedures are informed by and comply with Tropical Fruits Constitution. The Management Committee demonstrates that mechanisms are in place for fair and transparent governance through accessible meeting minutes, Management Committee self-assessment and a Management Committee development plan. Annual performance reporting to stakeholders and the community it serves demonstrates transparency in governance and operations.

This Governance Policy is included in Tropical Fruits policy review schedule where all policies are reviewed every three years at a minimum, or following significant operational, policy or legislative requirements.

SECTION 2 THE ORGANISATION

2.1 Introduction

Tropical Fruits is an incorporated association formed in 1988.

2.2 Our Vision for Tropical Fruits is:

- We are fun, safe and inclusive
- Acknowledgement and celebration of our Rainbow Mob and a strong connection to Country + Culture + Climate + Community.
- A leading grassroots community driven social club with a unique regional difference.
- Our volunteers and guests feel welcome, comfortable, respected, heard and part of the Fruity Family.
- Pride in our adaptability, resilience and innovation with our vibrant and self-sufficient Clubhouse Hub and events.
- Supporting diversity, accessibility and sustainability within our club.
- Our shared history and unified vision of our colourful future is something that everyone contributes to.

2.3 Our Mission

The Tropical Fruits Inc, established in 1988, is the premier LGBTIQ community group in the Northern Rivers in NSW. We are a not-for-profit, incorporated association that holds regular events for our diverse members and guests. We are a self funding, independent and voluntary organisation.

Our mission is to:

1. To provide an atmosphere of self-respect, acceptance and friendship, in which members can enjoy fellowship and all the benefits of a social club without any political affiliation;
2. To be a not-for profit, charitable organisation;
3. To support any like association or charity;
4. To assist in overcoming the isolation of lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) members;
5. To relay appropriate information through a regular newsletter;
6. To hold regular social events;
7. To promote the social development of the LGBTIQ community in the Northern Rivers Region;
8. To assist members of the Northern Rivers LGBTIQ community through community disbursements.

We hold regular events throughout the year, providing opportunities for our diverse members and guests to get together and celebrate in the beautiful "Rainbow Region".

Tropical Fruits prides itself on being a Fun, Safe & Inclusive social club and invites all its members and guests to come and enjoy our events in a safe and respectful environment that embraces all the diversity of our community.

We have made a home at our Clubhouse, the "Fruitbowl", located in the colourful heart of the Rainbow Region, Lismore (lovingly dubbed Lovemore, Lesmore, Livemore).

Each year we elect a nine-member Committee, which meets fortnightly throughout the year to manage our club. Our Volunteers work hard year-round in preparation for parties, during events, running the office and looking after the Fruitbowl. Since 1988, it is the commitment of many thousands of these dedicated people that has enabled Troppos to become one of the largest regional LGBTIQ organisation in the country.

2.5 Outcomes and Priorities of the organisation

Tropical Fruits pursues the following outcomes and priorities:

- Improve the quality of programs/events provided to our communities
- Seek out growth opportunities consistent with our strategy
- Operate with the highest standards of governance

2.6 Services provided

Tropical Fruits provides the following services:

- Social Club events
- Community Disbursements
- Clubhouse Hub community center activities

2.7 Target group

Tropical Fruits provides services to its members and LGBTIQ people living in the Northern Rivers of NSW and beyond.

2.8 Workforce

Tropical Fruits provides all contracted permanent staff with opportunities for staff development to expand their knowledge and skills.

All staff members are trained and competent for the positions they hold. Tropical Fruits supports staff professional development, education and training activities including: induction training for all; annual budget allocation to attend approved workshops, seminars, trainings or conference related to their position; First aid training; reasonable course costs and travel expenses; flexible working hours to participate in accredited study part-time or externally at a recognised educational institution.

Tropical Fruits has in place a process for supervision/coaching. External supervision by appropriately trained professionals may be available for the Club Manager or Office Bearer positions if approved by the Committee. The cost of supervision is met by Tropical Fruits within allocated budget.

SECTION 3 ROLE OF THE MANAGEMENT COMMITTEE

3.1 Introduction

Subject to the 2121 Annual General Meeting, half of the Management Committee positions are elected annually on a two year rotational basis, at an Annual General Meeting in accordance with the provisions of *Tropical Fruits Constitution*.

3.2 Role of the Management Committee

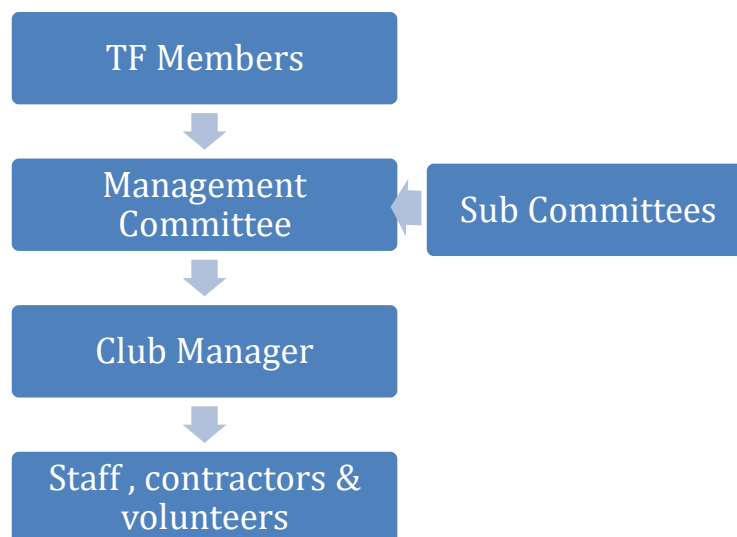
The Management Committee's role is to manage Tropical Fruits within the approved budget and in accordance with the relevant law and the organisation's plans, policies and procedures.

Within this role, the Management Committee may delegate many responsibilities to nominated members of the Management Committee, sub-committees or the Club Manager.

3.3 Management Committee structure

Tropical Fruits Management Committee is structured by a voluntary and representative Management Committee, with up to nine (9) Management Committee Members. The Management Committee may appoint additional independent members or members for the purpose of bringing expertise from other areas. We strongly encourage Indigenous, disability and youth representation and expertise on the Committee

The diagram below demonstrates Tropical Fruits governance and management structure.



3.4 Organisation members

Includes any community individuals or groups that have paid a membership fee to be able to participate in Tropical Fruits governance processes. Members can be elected to be part of Tropical Fruits Management Committee. Refer to Tropical Fruits Constitution for more information on members or memberships.

3.5 Club Manager

The Management Committee delegates responsibility for running of the organisation to the Club Manager.

3.6 Management Committee subcommittees

Sub-committees are identified and established at an Annual General Meeting. Refer 3.6.2 Other subcommittees.

3.6.1 Finance and Audit Committee

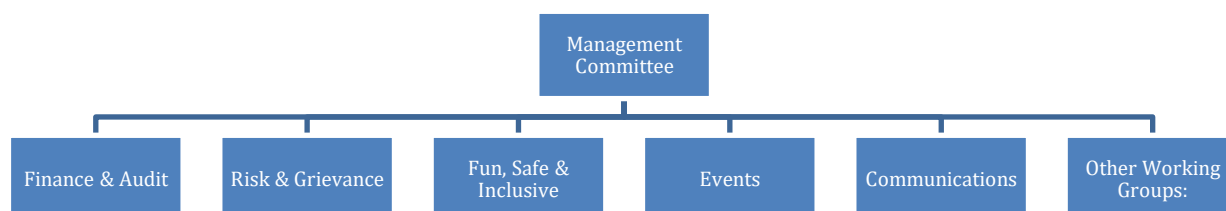
Responsibility for Finance and Audit Sub Committee is delegated to the Treasurer.

The primary task(s) for the Finance and Audit Sub-committee is to manage the finances and provide recommendations to the Management Committee on financial decisions and provide Annual Budgets.

3.6.2 Other subcommittees

Under Tropical Fruits Constitution, the Management Committee can create subcommittee(s). Some sub-committees operate on an ongoing basis from year to year, such as the Finance and Audit sub-committee and Risk and Grievance sub-committee. Members of the subcommittees can include Management Committee Members and/or independent advisers with specialist knowledge and skills appointed by the Management Committee. All decisions made by the sub-committees are to be approved at full Management Committee meetings.

The current Subcommittee structure is:



3.6.3 Summary of responsibilities

The following table summarises the responsibilities held by the Management Committee, the Club Manager and subcommittees, in meeting the main roles of the Management Committee.

	Planning and policy	Legal	Financial	Other
Responsibility of the Management Committee	<ul style="list-style-type: none"> • Ensure that strategic is developed and evaluated • Approve the organisation’s Strategic Plan • Hold the Club Manager accountable for implementing the Strategic Plan • Approve policies that guide the organisation’s operations • Ensure policies and procedures are kept up-to-date and put into practice 	<ul style="list-style-type: none"> • Ensure that the Management Committee is fulfilling its role and responsibilities • Ensure that TF operates in line with its Constitution, legislation and agreements or contracts • Ensure that staff employment agreements and contracts comply with relevant laws • Ensure that working conditions are safe • Ensure that TF has adequate insurance cover • Ensure that all risk is properly managed • Ensure that TF operates within relevant Federal, State and Local Government laws and regulations 	<ul style="list-style-type: none"> • Oversee financial management and budgeting • Ensure funding agreements are followed • Ensure that accounts are properly accounted for and an audit is completed every year • Adopt a financial/sustainability plan in line with the Strategic Plan • Ongoing improvement to financial management processes • Monitor risk management • Prepare and review budgets and forecasts • Review quarterly reports prepared by the Accounts Officer • Review organisational income and expenditure 	<ul style="list-style-type: none"> • Appoint and support the Club Manager • Represent the organisation when required • Ensure that TF has strong community support, a solid membership base and is a viable organisation • Provide and support staff with direction through the Club Manager
Responsibility of the Club Manager	<ul style="list-style-type: none"> • Identify and prepare papers for the Management Committee relating to key issues • Manage the preparation of the Strategic Plan • Provide input (and co-ordinate the provision of input from other staff) into the Strategic Plan • Implement the Strategic Plan • Report to the Management Committee against the Strategic Plan 	<ul style="list-style-type: none"> • Ensure organisation complies with its policies and procedures • Ensure organisation complies with relevant laws 	<ul style="list-style-type: none"> • Supervise staff and all Club operations • Supervise the Accounts Officer to: • Financial management and budgets • Ensure funding agreements are followed • Ensure that accounts are properly accounted for and an audit is completed every year • Implement the financial/sustainability plan in line with the Strategic Plan • Prepare budgets that align with the Strategic Plan 	<ul style="list-style-type: none"> • Attend Finance and Audit Sub-committee meetings • Provide reports to Management Committee on major operational issues, including: Human Resources, WHS, Activities • Supervise volunteers and contractors

3.7 Summary Strategic planning

The goals and outcomes in Tropical Fruits Strategic Plan provide key directions for the organisation and its key stakeholders.

The Club Manager is responsible for developing the Strategic Plan in consultation with the Management Committee and staff, with the Management Committee formally endorsing the final document.

The Strategic Plan outlines the outcomes for Tropical Fruits and broad strategies to meet the outcomes. Broad outcomes and strategies are identified after assessing the environment in which the organisation operates, and consulting with members, community members and stakeholders. The Management Committee is responsible for agreeing on the strategic priorities for Tropical Fruits for each year.

The Strategic Plan may be distributed among the community, organisation members and stakeholders. Copies are available in pdf form on the website and may be given on request from Tropical Fruits office.

SECTION 4 PERSONAL AND LEGAL RESPONSIBILITIES

4.1 Personal responsibilities

Once elected to the Management Committee, members act on behalf of Tropical Fruits to meet the goals and outcomes of the organisation. Management Committee Members are representative of the community and must make decisions according to the best interests of Tropical Fruits in meeting its goals and outcomes.

Tropical Fruits Management Committee Members' duties include:

- Putting the interests of the organisation above all else
- Acting with care
- Remaining always honest
- Avoiding any conflict of interest by being up-front about likely conflicts and withdrawing from any discussion or decisions where this is an issue
- Not gaining in a personal way from being a Management Committee Member
- Not divulging any confidential information outside of the Management Committee
- Must not gain advantage for themselves

Tropical Fruits requires members to act with the degree of care and diligence that a reasonable person in that position would exercise. Management Committee Members are required to:

- Make judgment in good faith for a proper purpose; and
- Not have a material personal interest in the subject matter of the judgment; and
- Inform themselves about the subject matter of the judgment to the extent they reasonably believe to be appropriate; and rationally believe that the judgment is in the best interests of Tropical Fruits

Management Committee Members must be fully up-to-date with Tropical Fruits's activities and take an active role in decision-making. Management Committee Members need to:

- Attend all or the majority of Management Committee meetings;
- Ensure they have read and considered all Management Committee papers prior to the meeting and come prepared to discuss and debate decisions required;
- Obtain sufficient information and advice about major activities or proposals put to the Management Committee, before deciding whether to approve them.

4.2 Specific legal responsibilities

The Management Committee is responsible for ensuring the organisation complies with a range of legal and other obligations. Refer to Section 6 for details of these obligations. Refer to Tropical Fruits Governance and Compliance Register for details of how Tropical Fruits meets the obligations.

4.3 Responsibilities of Management Committee office holders

4.3.1 Chairperson

The Chairperson is the leader of the Management Committee and along with the Club Manager the primary spokesperson for Tropical Fruits. The role of the Chairperson requires more time than that of an ordinary Management Committee Member. Additional responsibilities for the Chairperson include:

- Steering the direction and performance of the organisation
- Facilitating relationships between Management Committee Members, between the Management Committee and Tropical Fruits stakeholders, and with the Club Manager
- Modelling and promoting high standards of behaviour and practice
- Chairing Management Committee meetings and acting as final decision-maker in any such circumstances as when the vote is tied
- Developing meeting agendas with the Club Manager
- Preparing for the AGM.

Within the leadership role, the Chairperson will be expected to demonstrate the following skills:

- Chairing or facilitating meetings
- Liaison and negotiation with funding agencies or foundations
- Staff supervision or human resource management skills
- Media interaction
- Financial management.

Refer to **Tropical Fruits** Management Committee Chairperson Position Description for further detail.

4.3.2 Treasurer

The Treasurer's role is to monitor Tropical Fruits financial processes and ensure financial reporting obligations are maintained. The Treasurer will have sound knowledge of financial matters. Responsibilities include:

- Developing and updating financial policies and procedures with the Club Manager and Accounts Officer
- Preparing or co-preparing budgets
- Monitoring monthly accounts
- Signing off on the creation of new bank accounts, cheque facilities and credit cards
- Liaising with auditors in relation to annual financial statements, or oversight of the process
- Ensuring the Management Committee is aware of Tropical Fruits financial situation and performance
- Chairing the Audit and Finance Subcommittee

Although the Treasurer has specific financial management tasks, all Management Committee Members are responsible for monitoring the financial viability of the organisation.

Tropical Fruits has delegated some duties of this role to the Accounts Officer

Refer to Tropical Fruits Management Committee Treasurer Position Description for further detail.

4.3.3 Secretary

Tropical Fruits has delegated some duties of the Secretary role to the Club Manager and the Production Assistant.

Specific responsibilities of the Secretary include:

- Ensuring meeting agendas are prepared and distributed according to Tropical Fruits Constitution
- Ensuring meeting minutes are taken and properly stored
- Ensuring all the legal requirements of the association are carried out
- Maintaining up-to-date contact details for Management Committee Members
- Assisting in the organisation of Management Committee meetings, AGMs, and any Special General Meetings.
- Chairing the Communications Subcommittee

Refer to Tropical Fruits Management Committee Secretary Position Description for further detail in the Supporting Documents

4.3.4 Event Coordinator

Many duties of the Event Coordinator are delegated to the Club Manager and the Production Assistant.

- Responsible for overseeing the safe and successful events of Tropical Fruits including planning, compliance, budgets, ticketing, contracts, volunteer management and WHS
- Chairing the Events Subcommittee

Refer to Tropical Fruits Management Committee Ordinary Member Position Description for further detail.

4.3.5 Participant representative(s)

Participants may be involved in Tropical Fruits Management Committee and sub-committees to provide a community voice in the governance and operations of the organisation. Past members are entitled to take on any Management Committee Member positions. Participants are encouraged to participate and are supported through training, development and supervision as required.

4.4 Code of conduct

All Management Committee Members understand and sign acceptance of Tropical Fruits Code of Conduct at commencement of their tenure. The Code of Conduct outlines expectations of staff and Management Committee Members' behaviour, including the use of social media, interactions with others, confidentiality and safety.

Refer to Tropical Fruits Human Resources Policy for further detail.

4.5 Conflicts of interest

Management Committee Members are required to put the interests of Tropical Fruits above individual interests.

A conflict of interest situation arises when a Management Committee Member's duty to Tropical Fruits conflicts with their duties, obligations or interests elsewhere – for example, the interests of their private business, own organisation, or family.

Examples of real or potential conflicts of interest are:

- A Management Committee Member works for an agency that also provides funding to Tropical Fruits
- The Management Committee or a Management Committee Member receives a gift from a firm that provides office equipment to the organisation
- A Management Committee Member sits on the Management Committee of another organisation and the two organisations are competing for the same funds

4.5.1 Managing conflicts of interest

The potential for a conflict of interest exists on an ongoing basis, so Tropical Fruits manages these interests in a transparent manner that maintains the confidence and trust of the community, stakeholders and staff. Management Committee Members are required to complete a Conflict of Interest form and the start of term and any subsequent time a conflict may arise, in order to have any conflicts recorded in the Tropical Fruits Conflict Register. The Management Committee review the Conflict Register at each Committee Meeting.

Corporations Act, specifies requirements for the management of real, potential or perceived conflicts of interest. In signing the Tropical Fruits Code of Conduct, Management Committee Members declare that they understand these requirements and agree to comply. The requirements are summarised:

SECTION 5 APPOINTMENT OF MANAGEMENT COMMITTEE MEMBERS

5.1 Composition of the Management Committee

The Management Committee is made up of **nine (9) Management Committee Members** who are appointed by **voting of the general membership** at the AGM. The **voting** and appointment of **Tropical Fruits** Management Committee Members ensures the Management Committee:

- Has a good mix of experienced people and allows newer members to be nurtured
- Is representative of its membership/stakeholders
- Can access people who may bring in particular expertise

5.2 Limits to Management Committee tenure

Management Committee Directors hold the position for **2 years**, also referred to as one (1) term. Management Committee Directors may serve a maximum of **[2]** terms in succession, allowing for new Directors to join the Management Committee and ensuring long-term Directors take a break.

Once a Director has served **[2]** terms on the Management Committee and he/she steps down, that person cannot be re-nominated for the Management Committee for a minimum period of **[1]** year.

5.3 Rotation

Every AGM, Tropical Fruits will nominate and elect Management Committee Directors to make up the full quota of [9] elected Management Committee Members.

The process for determining whether there are positions that require filling at an AGM is as follows:

- Before the AGM, the Management Committee is to discuss the upcoming AGM and Management Committee Director positions
- A register of current Management Committee Members (including their commencement dates) is distributed, noting any Management Committee vacancies
- The Management Committee identifies whether any Director is at the end of their term and whether they are planning to re-nominate; and which Directors are at the end of their second term, and therefore cannot re-nominate
- Independent Management Committee Members are appointed by the Management Committee and no re-nomination is needed until their [2] terms are complete.

5.4 Management Committee nomination and election

5.4.1 Independent Returning Officer

Prior to the AGM, the Chairperson appoints an independent Returning Officer to handle Management Committee nominations and elections at the AGM.

5.4.2 Call for nominations

Tropical Fruits provides members with notice and relevant documents of the upcoming AGM and the Management Committee nomination and election process. Nomination for election to Management Committee Director positions must be received in writing 14 days prior to the AGM, using the Management Committee nomination form and signed by two members of the organisation.

5.4.3 Election and voting at the AGM

- Fewer nominations than Management Committee positions:
Where there are fewer nominations than there are vacant Management Committee positions, all eligible nominations received are endorsed to the Management Committee by the Returning Officer.

If there are still vacancies after received nominations are endorsed, further nominations can be received from the floor to fill remaining vacancies. Where nominations received from the floor are equal to the number of vacancies, the Returning Officer declares all eligible nominees as elected.

- More nominations than Management Committee positions:
Where there are more nominations than there are Management Committee positions, the Returning Officer conducts a ballot at the AGM. Only current financial members in attendance at the AGM are eligible to vote using Tropical Fruits Management Committee Directors' voting materials.

The process includes:

- The Returning Officer distributes a voting slip listing the candidates' names to all the organisation members.
- The Returning Officer announces all nominees and allows them each up to three minutes to introduce themselves and state why they should be elected to the Management Committee.

- The Returning Officer opens the voting, asking members to put a cross on their voting slips next to the names of the candidates they would like to vote for. They should nominate the same number of candidates as there are vacancies. Forms which nominate more or less than the number of vacancies will be invalid.
- All members place their votes in a voting box.
- The Returning Officer counts the votes and announces the successful candidates according to the most votes received.
- In the event of a tie, the Returning Officer may still be able to determine a result, e.g. if there are three positions to be filled and the top two candidates are tied.

5.5 Appointment to casual vacancies in elected Management Committee positions

Where a Management Committee position becomes vacant during the Management Committee term, the Management Committee is to identify the criteria to fit the needs of the Management Committee and agree on potential candidates at a general Management Committee meeting to select and appoint a person to fill the casual vacancy. The Management Committee Chairperson or the Club Manager invites the potential candidate to join the Management Committee.

The casual Management Committee Director:

- Will have all rights and obligations of elected Management Committee Directors.
- Will hold a casual status until the next election process where the organisation members may nominate for a Management Committee Director position. If the casual Management Committee Member is elected, they will be in the role for **[insert number of term(s)]** term(s).

5.6 Management Committee Executive

Tropical Fruits Management Committee Executive consists of four office holders elected by the Management Committee. The Executive positions are:

- Chairperson
- Event Coordinator
- Secretary
- Treasurer.

SECTION 6 GOVERNANCE PROCESSES

6.1 Organisational viability

6.1.1 Legal compliance

The Management Committee is responsible for ensuring the organisation complies with a range of legal and other obligations. Refer to Tropical Fruits Compliance Register for details of how Tropical Fruits meets current obligations.

The Governance and Compliance Register is updated monthly by the Club Manager to ensure the organisation is complying with relevant governance legislation.

- Constitution
The Management Committee and organisation's activities must comply with Tropical Fruits Constitution, including on matters relating to membership management, Management Committee function and powers, Management Committee appointments, general meetings of the Association, decision-making and the Public Officer.

- **Contracts with funding bodies and others**
The Management Committee ensures that Tropical Fruits meets responsibilities set out in contracts with funding bodies. The Chairperson, Treasurer and/or Club Manager may co-authorise funding agreements as required.
- **Employment laws**
The Management Committee ensures that Tropical Fruits complies with laws relating to employment, remuneration, workers compensation, anti-discrimination and work health and safety.

The Management Committee delegates all the employment processes to the Club Manager (except the Club Manager themselves). The Management Committee is ultimately responsible if laws are broken, so must:

- Ensure that employment policies and procedures are transparent and fair, comply with relevant laws, and are being followed by the Club Manager and supervisors
- Appoint all staff positions and manage the Club Manager
- Ensure they are informed of major employment decisions and issues, particularly where there is a potential for legal action (for example, in terminations due to disciplinary matters)
- Management Committee Members may also be involved in selection panels and the induction of new employees.

Employment-related legislation includes:

- Annual Holidays Act 1944 (NSW)
 - Anti-Discrimination Act 1977 (NSW)
 - Disability Discrimination Act 1992 (Cth)
 - Fair Work Act 2009 (Cth)
 - Human Rights and Equal Opportunity Commission Act 1996 (Cth)
 - Industrial Relations Act 1996 (NSW)
 - Long Service Leave Act 1955 (NSW)
 - Racial Discrimination Act 1975 (Cth)
 - Sex Discrimination Act 1984 (Cth)
 - Superannuation Guarantee (Administration) Act 1992 (Cth)
 - Workers Compensation Act 1987 (NSW)
 - Work Health and Safety Act 2011 (NSW).
- **Insurance**
As part of Tropical Fruits risk management practices, a range of insurance policies are purchased covering public liability, property, professional indemnity, motor vehicle, Directors and Association Liability Cover, Volunteer Cover, and Workers Compensation others.
 - **Taxation obligations**
Tropical Fruits is registered as a Not For Profit Incorporated Association.
 - **Other legislation**
The Management Committee must also monitor compliance with other relevant state and federal laws. Refer to 10.1 Legislation

6.1.2 Financial oversight

The Management Committee is responsible for oversight of Tropical Fruits financial viability. The majority of financial management monitoring is delegated by the Management

Committee to Club Manager and **Accounts Officer** as set out in Section 3.6.3. However, it is the duty of Management Committee Members to understand the financial status of the organisation and be satisfied that the organisation is financially viable.

Processes for ensuring the Management Committee has sufficient financial oversight include:

- Management Committee Members are supported to undertake training to understand financial statements.
- Management Committee Members seek clarification from the Treasurer, Chairperson, Club Manager and relevant Tropical Fruits staff on financial matters requiring clarification.
- The Management Committee develops and approves financial policies and procedures, including risk management systems that reduce the risk of fraud.
- Simplified financial reports – addressing the organisation’s overall financial viability – are prepared by the Accounts Officer and provided with Management Committee papers in advance of Management Committee meetings at least once each quarter.
- The Management Committee must read and analyse financial statements before approving them.
- The Treasurer provides a report at every Management Committee meeting – where there are specific recommendations or decisions required.
- The annual budget and the New Year Festival Budget is endorsed by Audit and Finance Subcommittee and recommended for approval by the full Management Committee.
- The Management Committee must approve audit reports.

6.1.3 Risk management

The Management Committee is responsible for overall risk management for the organisation. Risk management includes the implementation, adherence and monitoring of systems that identify actual and potential risks and responding treatment strategies. Such strategies aim to avoid, minimise or administer the risk’s impact.

Tropical Fruits Risk Management Policy provides guidance on:

- Types of risks relevant to Tropical Fruits
- Identifying, assessing and treating risks
- Risk monitoring and review
- Communication, consultation and responsibilities
- Reporting and record keeping.

Specific Management Committee responsibilities include:

- Endorsing and complying with the Risk Management Policy
- Ensuring compliance with relevant legislation
- Identifying and assessing new risks and implementing risk treatments
- Monitoring and updating identified risks and risk treatments.

The Club Manager Chairs the Risk & Grievance Subcommittee and provides Management Committee meetings with an updated *Risk and Compliance Register* for review and endorsement.

6.1.4 Operational policy development and quality improvement

The Management Committee’s responsibility for oversight of the organisation and its viability includes ensuring Tropical Fruits has relevant policies and procedures, and ongoing plans for improvement.

Tropical Fruits policies and procedures are categorized into 3 functional areas:

1. Governance and Leadership
2. Administration and supports
3. Events and services

Tropical Fruits Management Committee may be involved in the policy development process when relevant; however, the Management Committee ensures that policies and procedures are appropriate by delegating development and review of policies and procedures to the Club Manager and staff, with reporting at Management Committee meetings and endorsement by the Management Committee before implementation.

The Club Manager is delegated with responsibility for ensuring all staff members and key, In Charge volunteers understand and apply policies and procedures.

6.2 Decision making

The Management Committee has a role in making high-level strategic decisions that keep Tropical Fruits progressing towards meeting its goal and outcomes.

To ensure that decisions made by the Management Committee are accurately communicated, recorded and act as a reference point if required, the following procedures are in place:

- Delegation of Authority is adhered to
- Matters requiring a decision by the Management Committee are flagged on the meeting agenda and/or papers
- The meeting minute-taker may request clarification and confirm a decision made to ensure it has been accurately recorded
- All Management Committee meeting minutes and decisions are endorsed at the next Management Committee meeting.
- Management Committee meeting minutes are distributed to all committee members and subcommittee members and the Public Officer.
- The Communications Subcommittee will regularly communicate decisions of the Management Committee via social media and the regular newsletter, and sometimes by emails to the membership.

6.3 General Meetings of the organisation

General Meetings are meetings of all members of Tropical Fruits as an Association. General meetings include Annual General Meetings (AGMs) and any Special General Meetings.

A quorum for General Meetings of the organisation is five (5) of Tropical Fruits current Financial members as at the time the meeting is held.

6.3.1 Annual General Meetings

The **Association** requires the AGM to be held within **six (6)** months of the end of the financial year.

The AGM is the Management Committee's major opportunity to present to members the major issues and activities affecting the organisation throughout the previous year, and for a verbal summary of the Annual Report. Some processes that need to occur include:

- Members must appoint an auditor for the ensuing year

- Audited financial statements must be presented at the AGM before submitting to the Office of Fair Trading after the AGM
- The meeting will be held once the audited financial statement is received from the auditor
- Notice of the scheduled AGM is provided to Tropical Fruits members via hard copy mail or email and the Tropical Fruits website. A minimum period of fourteen (14) days' notice must be provided for the AGM, with a minimum period of twenty-one (21) days' notice where a special resolution is proposed.

The AGM hold an election for half the positions on the Management Committee each year, sufficient notice is provided to members to allow for nominations to be seven (7) days prior to the AGM.

The standard agenda for the AGM includes:

- Confirmation of minutes of the previous AGM and any other General, Special or Extraordinary Meetings held
- Presentation of the Annual Report and the Chairperson's report
- Presentation of the Treasurer's report and audited statements
- Event Coordinators Report
- Secretary's Report
- Nomination and/or election of Management Committee Members
- Appointment of the auditor for the ensuing year
- Announcement of the Public Officer
- Any Special Resolutions that were specifically included in the AGM Notice

6.4 Annual Report

The Annual Report is published each year for the AGM and serves as the primary document to report on and showcase the performance of Tropical Fruits.

Typically, the Annual Report includes:

- Chairperson's report
- Club Manager's report
- Event Coordinators report - Events and program delivery highlights and achievements
- Secretary's report
- Progress against Strategic Plan outcomes and performance indicators
- Treasurer's report and Audited financial statements
- Management Committee Member attendance record
- Staff and volunteers
- Important partnerships, funders or stakeholders.

Tropical Fruits Annual Reports are available to members and stakeholders in hard and digital format and are posted on the website www.tropicalfruits.org.au

6.5 Management Committee Member Register

In compliance with the **Association Incorporation Act 2009** Tropical Fruits maintains a register of Management Committee Members at Tropical Fruits' registered address. The Management Committee Member register includes the following details of each Management Committee Member:

- Name, date of birth, and residential address
- Date that the Management Committee Member commenced office
- Date that the Management Committee Member vacates office.

6.6 Representing Tropical Fruits

6.6.1 Representing Tropical Fruits in the media

The Chairperson and/or Club Manager are primarily responsible for liaising with the media or the Event Coordinator regarding Events - and will negotiate their roles in relation to media comment on a case-by-case basis, depending on their respective skills.

If necessary, delegation may be handed to the Chair of a Management Committee sub-committee if the Chairperson or Club Manager does not hold sufficient technical knowledge on the subject matter. Where this occurs, the Chair will represent the views of Tropical Fruits based on current evidence-informed practice, and on behalf of Tropical Fruits membership and the community it serves.

6.6.2 Representing Tropical Fruits on committees

Management Committee Members may represent Tropical Fruits on external committees and in various consultative forums. Decisions on Management Committee Members representing Tropical Fruits are made by the Management Committee and the Club Manager and may be in addition to or in place of a staff member.

Management Committee and staff member representatives are responsible for providing feedback to the Management Committee and staff, where relevant, on any committees and consultative forums.

6.6.3 Representing Tropical Fruits in advocacy

Management Committee Members, as well as the Club Manager, may represent Tropical Fruits in delegations to politicians where this is strategically useful to progressing Tropical Fruits goals and outcomes, and where Management Committee Members and staff hold specific expertise on the subject matter, or where it would otherwise be beneficial to the organisation.

6.7 Feedback and complaint management

As the legal entity responsible for the organisation, the Management Committee plays a role in the management of feedback and complaints from the community and stakeholders reported by the Club Manager. Management Committee Members are responsible for understanding, endorsing and complying with Tropical Fruits Feedback and Complaint processes and as outlined in the Grievance Policy and Procedures.

- **Involving the Club Manager**

The Management Committee may become involved in managing a complaint from the community, an organisation member or stakeholder, where the matter relates to the Club Manager or the matter requires higher-level decision-making.

Where the Club Manager cannot resolve the matter, the Management Committee can nominate the Chairperson, other Management Committee Members to manage the complaint, with or without an independent mediator.

- **Involving a Management Committee Member**

Where there is a complaint involving impropriety of a Management Committee Member, or a failure to fulfill their legal or ethical responsibilities, the Management Committee manages the complaint collectively, with the exclusion of the relevant Management Committee Member.

6.8 Grievance management

Management Committee Members are responsible for understanding, endorsing and complying with Tropical Fruits Grievance Management processes.

6.8.1 Involving the Club Manager

In addition to monitoring grievances reported by the Club Manager, the Management Committee may become involved in managing a grievance from a staff member or Management Committee Member where the matter relates to the Club Manager, the matter requires higher-level decision-making, where the Club Manager cannot resolve the matter, or where the matter relates to another Management Committee Member. The Management Committee can nominate the Chairperson or other Management Committee Members to manage the complaint, with or without an independent mediator.

6.8.2 Involving a Management Committee Member

Where there is a grievance involving impropriety of a Management Committee Member, or a failure to fulfill their legal or ethical responsibilities, the Management Committee manages the complaint collectively, with the exclusion of the relevant Management Committee Member. Reference is made to Tropical Fruits Constitution that details the disciplinary procedures for individual Management Committee Members.

6.9 Management Committee meetings

6.9.1 Management Committee meetings general details

The full Management Committee meet at a minimum three (3) times a year, with meetings being in-person, face-to-face or through telecommunications such as telephone and internet linkage.

The quorum for Management Committee meetings is five (5) persons.

The Management Committee meets monthly on Wednesday evenings from 6pm at the Clubhouse – this is subject to change, such as in the approach to the new Year Festival where Committee meets more often.

6.9.2 Agenda

Tropical Fruits uses a standard agenda for all Management Committee meetings. Standard agenda content and additional items are prepared by the Club Manager and Chairperson prior to each meeting. Management Committee Members may contribute items prior to or at the beginning of meetings.

See the Management Committee Meeting Agenda and Minutes templates for standard agenda items.

At the beginning of each meeting, the agenda is reviewed to allow for re-ordering and prioritisation of critical items, if required. Items requiring a decision or action are flagged to ensure a meeting outcome.

6.9.3 Structure of meetings

Strategies to ensure productive Management Committee meetings include:

- The meeting is chaired by the Chairperson, or in their absence another committee member
- Meetings commence and conclude at the scheduled time
- The agenda identifies items for noting/information only, items for discussion, and items for decision
- Items for the next meeting's agenda are identified at the end of each meeting
- Read the papers and ask questions ahead of time where possible
- Ensure you participate also leave space for others to contribute

6.9.4 Management Committee meeting papers

Agenda papers and other materials are forwarded electronically to Management Committee Members at least **five (5) days** prior to the scheduled meeting.

Management Committee papers ordinarily include:

- Agenda
- Minutes of the previous Management Committee meeting(s)
- Minutes of sub-committees and other meetings
- Financial reports
- Agenda item-related documents, such as reports, proposals, project information, significant communication
- Club Manager report
- Management Committee-related documents, such as schedule of events and AGM election details.

Sufficient information is provided to the Management Committee to enable them to discuss and make informed decisions as required.

The Club Manager report identifies:

- Progress and outcomes against the Strategic Plan
- Risk and compliance management
- Feedback and complaints
- Major developments in external environment and policy matters
- Internal policy issues that may need to be addressed in future policy development
- Governance support items
- Report against Club Manager performance indicators or work plan
- Operations report on premises, events and others program areas
- Other staff progress

6.9.5 Participation in Management Committee meetings

Management Committee Members are expected to attend all Management Committee meetings, with Tropical Fruits Constitution stipulating that if a Management Committee Member is absent for six (6) consecutive months without notifying the Management Committee, their Management Committee position lapses. A register of Management

Committee meeting attendance is maintained by Tropical Fruits and included in Tropical Fruits Annual Report.

SECTION 7 MANAGEMENT COMMITTEE ORIENTATION AND DEVELOPMENT

7.1 Management Committee member orientation

New Management Committee Members are provided with orientation to Tropical Fruits, their roles and responsibilities as a Management Committee Member, and how to gain further information and advice. An orientation session is provided by the Club Manager and the Chairperson for all newly elected and returning Management Committee Members. New committee members will additionally undergo governance training and financial literacy training.

All Management Committee Members are provided with information about Tropical Fruits, including electronic copies of:

- Management Committee member position description
- Governance Policy
- Risk Management Policy
- Communications Policy
- Human Resources Policy and grievance management procedures
- Work Health and Safety Policy
- Constitution
- Strategic Plan
- Latest Annual Report
- Last Management Committee meeting minutes.

7.2 Management Committee skill, knowledge and performance review

Self-assessment provides opportunities for the Management Committee to refrain from its usual preoccupations and reflect upon the expediency with which the Management Committee is meeting its responsibilities, and to identify ways to strengthen Tropical Fruits governing capacity.

The Management Committee Self-assessment Questionnaire includes questions for consideration by the Management Committee on the following areas:

1. Audit of existing Management Committee Members
2. Review of Management Committee's compliance with legal, financial and strategic matters
3. Review of Management Committee processes.

Self-assessment is the responsibility of the Management Committee itself; however, the Management Committee may choose to seek impartial additional input from professionals outside of the Management Committee, drawing on representatives of Tropical Fruits staff, organisation members or an independent consultant to evaluate achievements, strengths and areas for development.

The Chairperson and/or a delegated Management Committee Member are primarily responsible for facilitating self-assessment, which should occur regularly.

7.3 Management Committee training and development

Analysis of the Management Committee's self-assessment may initiate training and development activities to ensure the Management Committee develops good governance knowledge and practice, and builds working relationships. These activities are recorded in the Management Committee Development Plan to ensure transparent governance and continuous improvement in Tropical Fruits operations.

Professional development activities may include:

- Guest speakers/presentations
- Attendance at internal and external training sessions or workshops
- Formal group education sessions

SECTION 8 MANAGEMENT COMMITTEE AND CLUB MANAGER RELATIONSHIP

8.1 Relationship between the Management Committee and staff

As the legal governing body and the employer, the Management Committee must act unanimously in its relationship with staff members. Individual discussions relating to governance and operational matters between individual staff and Management Committee Members can cause – or be perceived as – a conflict of interest and have potential to undermine the role of the Club Manager.

The relationship between the Management Committee and Tropical Fruits staff is through the Club Manager. Where staff have concerns about the behaviour or actions of other staff or of Management Committee Members, it is to be raised with the Club Manager in the first instance, or if the matter relates to the Club Manager, with Tropical Fruits Chairperson.

Grievances are managed according to Tropical Fruits grievance policy and procedures as part of the Human Resources Policy.

8.2 Relationship between the Management Committee and Club Manager

The Management Committee appoints the Club Manager, determines their salary, and manages their performance. The Management Committee is, in turn, reliant on the Club Manager to manage the organisation effectively and implement the vision and strategies. The relationship between the Management Committee and Club Manager is a critically important relationship for the effective governance and management of Tropical Fruits.

Both the Management Committee and the Club Manager must understand the parameters of their roles, in order to reduce confusion about roles and responsibilities can lead to conflict, inefficiency and low morale.

8.3 Role of the Club Manager

The Management Committee delegates day-to-day management of Tropical Fruits to the Club Manager. Responsibilities include:

- Implementation, leadership and reporting of the Strategic Plan
- Recruitment, management and supervision of staff
- Principle liaison with Tropical Fruits stakeholders
- Alongside the treasurer and Accounts Officer, overseeing financial management of the organisation, including approving expenditure within delegation and budget
- Performance and operational reporting to the Management Committee

- Becoming public spokesperson for the organisation, together with the Chairperson.

Refer to the Club Manager Position Description and Tropical Fruits Functions and Delegations Matrix in Section 6 for further detail on Club Manager and Management Committee responsibilities.

8.4 The Club Manager at Management Committee meetings

Tropical Fruits Constitution stipulates that the Club Manager is not a Management Committee member and therefore does **not** have voting rights. However, their attendance at Management Committee meetings is vital to report and provide advice to the Management Committee. Other staff may attend Management Committee meetings at the discretion of the Management Committee and the Club Manager.

The Club Manager reports at all Management Committee meetings.

Where the Management Committee needs to have meeting discussions without the Club Manager's presence, the Management Committee can take these discussions into a private session, with the Club Manager absent. A record of notes from these sessions are kept by the Chairperson, circulated only to other Management Committee Members, and not included in the general Management Committee meeting minutes.

8.5 Club Manager performance management

The Management Committee is responsible for oversight of the Club Manager and for ensuring their performance is regularly reviewed. The Chairperson provides an ongoing supervisory/management role and leads the annual performance review of the Club Manager with a second Management Committee Executive member, usually the Treasurer.

8.5.1 Club Manager performance agreement

The Chairperson and Treasurer (or other Management Committee Member as nominated) form the Club Manager review committee and in partnership with the Club Manager are responsible for establishing a performance agreement for the upcoming year, and review performance against the previous year's agreement.

The Club Manager performance agreement directly aligns with Tropical Fruits Strategic Plan and the Club Manager position description.

The performance agreement details:

- The process for review and tools that will be used
- The previous year's review report
- Goals and performance indicators
- Support from the Management Committee to assist the Club Manager in meeting performance expectations
- Professional development activity to improve performance and/or meet longer-term career plans
- Remuneration and conditions under which remuneration will be increased.

If there is disagreement between the Club Manager and the review committee regarding content of the performance agreement, the parties follow procedures outlined in Tropical Fruits grievance management procedures.

8.5.2 Performance review process

The Club Manager's performance is reviewed annually by the Chairperson with a second Management Committee Executive member, usually the Treasurer, and completed prior to the AGM.

Tools used to gather the information for the Chairperson and Treasurer to accurately assess the Club Manager's performance may include:

- Club Manager self-review against their Performance Agreement, noting achievements, reasons for not meeting performance indicators, etc.
- 360-degree survey with feedback from Management Committee Members, staff and stakeholders
- Latest Tropical Fruits feedback survey
- Review by the Chairperson and Treasurer of the Club Manager's performance against their Performance Agreement
- Discussion between the Club Manager and the Chairperson, based on the Club Manager's achievements, performance indicators and areas for improvement.

The Chairperson prepares recommendations, including level of remuneration, for the Management Committee based on the Club Manager's performance review. Recommendations are based on performance management actions to be implemented.

8.5.3 Formal and informal supervision

Club Manager performance reviews are undertaken annually; however, regular communication and feedback on Club Manager and organisational performance should be established between the Chairperson and the Club Manager at and between Management Committee meetings.

Discussions and/or meetings may be informal, or occur on a pre-determined schedule, e.g. the third Monday of each month.

8.6 Club Manager succession planning

Workforce planning ensures Tropical Fruits recruits new employees and develops existing employees and volunteers to undertake roles within the organisation. The focus of succession planning, as a part of broader workforce planning, is on leadership and positions critical to driving the achievement of organisational outcomes, including the Club Manager position.

Tropical Fruits succession planning identifies organisational capabilities, ensures organisational systems are current and documented, and guides employee transition and handover processes.

A current Club Manager succession plan is prepared by the Management Committee and reviewed annually.

9.1 Supporting documents

- Risk and Compliance register
- Legal compliance checklist
- Management Committee self-assessment questionnaire
- Management Committee development plan example
- Strategic Plan template

Position descriptions

- Position description – Management Committee Chairperson
- Position description – Management Committee Event Coordinator
- Position description – Management Committee Secretary
- Position description – Management Committee Treasurer
- Position description – Ordinary Management Committee Member

Management Committee Meetings

- Management Committee meeting scheduler
- Management Committee meeting agenda
- Management Committee meeting minutes
- AGM meeting templates

Part of the Risk Management Policy

- Risk register

9.2 Referenced policies

- Work Health and Safety Policy
- Risk Management Policy
- Communications Policy
- Human Resources Policy

9.3 Others

- Constitution
- Functions and Delegations Matrix.

10.1 Legislation

- Annual Holidays Act 1944 (NSW)
- Anti-Discrimination Act 1977 (NSW)
- Associations Incorporation Act 2009 (NSW)
- Disability Discrimination Act 1992 (Cth)
- Fair Work Act 2009 (Cth)
- Human Rights and Equal Opportunity Commission Act 1996 (Cth)
- Industrial Relations Act 1996 (NSW)
- Long Service Leave Act 1955 (NSW)
- Privacy and Personal Information Act 1998 (NSW)
- Privacy Act 1988 (Cth)
- Racial Discrimination Act 1975 (Cth)
- State Records – State Records Act 1998 (NSW)
- Sex Discrimination Act 1984 (Cth)
- Superannuation Guarantee (Administration) Act 1992 (Cth)
- Workers Compensation Act 1987 (NSW)
- Work Health and Safety Act 2011 (NSW).

10.2 Resources

- NADA Governance Toolkit
<http://www.nada.org.au/resources/nadapublications/resourcestoolkits/nada-governance-toolkit/>
- ACNC Governance for Good – the ACNC’s guide for charity Management Committee Members
http://www.acnc.gov.au/acnc/manage/tools/acnc/edu/tools/GFG/GFG_Intro.aspx
- Indigenous Governance Toolkit
<http://www.reconciliation.org.au/governance/>

10.3 Websites

- Australian Tax Office (ATO)
<https://www.ato.gov.au/>
- Australian Charities and Not for Profits Commission (ACNC)
<http://www.acnc.gov.au/ACNC/Home/ACNC/Default.aspx?hkey=3e39ac62-4f04-44fe-b569-143ca445c6bf>
- Australian Government Department of Finance
<http://www.finance.gov.au/>