

Nusa Tenggara Association

Human Resources Policy

V3.1 October 2023

Background

Nusa Tenggara Association (NTA) is a small organisation that, since its inception, has been almost entirely volunteer-run. The founding CEO, Dr Colin Barlow, donated his time including about 3 months a year undertaking field inspections in Indonesia. Until 2016 NTA operated with only one paid staff member working one day per week. In 2023 the NTA expanded to 3 staff members, each working 2 days per week. Indonesian field staff are employed by our counterpart organisation, Nusa Tenggara Association Indonesia (NTA-I) and Yayasan Pengembangan Masyarakat Pulau Semau (YPMPS), which are engaged to implement NTA programs .

The volunteer contribution to the operation of the NTA remains high. Volunteers continue as CEO, Board members, all Committee members, and others who assist NTA from time to time in specific capacities, both in Australia and in Nusa Tenggara Timur (NTT). NTA is proud of its voluntary ethos and values highly all the work that volunteers contribute. It is against this background that the Board has considered and approved the following policies in relation to NTA's human resources.

Scope

This policy applies to NTA paid staff and volunteers and to the members of the NTA Board and its sub-committees. Indonesian staff are subject to HR policies and procedures developed and administered by NTA-I and YPMPS. However, the obligations under the Corruption, Fraud and Bribery Policy (Section 14 of this Policy) also apply to staff of NTA-I and YPMPS.

Version control

Version	Date	Approved by Board	Details
1.0	May 2016	2016	First draft of policy
2.0	July 2018	31 July 2018	Reviewed and updated to meet ACFID Code of Conduct compliance requirements
3.1	September 2018	2018	Update NTA name, removal of reference to YPMF
3.2	October 2023	October 2023	Review – mainly editorial changes

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1. Recruitment and Selection of Paid and Volunteer Staff

The success of NTA relies heavily on its ability to attract the best staff and volunteers available. Recruitment methods must be fair, efficient, and effective. This policy relates to recruitment and employment of all staff and volunteers.

All **vacant paid positions** will be advertised internally and externally within cost constraints. All paid positions will have a duty statement setting out clear roles, responsibilities, and reporting and accountability arrangements.

NTA will ensure it can attract the best available **volunteers** by advertising (internally and externally as deemed appropriate and within cost constraints) all identified specialist volunteer vacancies to fill specific skill requirements and tasks for the organization.

Volunteers working with committees will work within the Charters of those Committees.

Other volunteers will be given specific roles and tasks to complete; this applies particularly to volunteers who join Field Visits.

Equity and diversity

All recruitment and selection procedures and decisions will reflect NTA's commitment to providing equal opportunity by assessing all potential candidates according to their skills, knowledge, qualifications, and capabilities. No regard will be given to factors such as age, gender, marital status, race, religion, physical impairment, or political opinions. NTA will comply with anti-Discrimination legislation.

NTA is committed to providing a work environment that is free from harassment and discrimination.

2. Appointment of Board Members, Committee Chairs and Committee Members

Sections 12 and 15 of the NTA Constitution detail the mechanism for the election and appointment of office-bearers and ordinary Board members. Section 14 details the composition of the Board. Section 20 details the composition of, and the delegations to, the three committees that assist the Board in its management of NTA.

Volunteers working as members of Board Committees will have clear Committee roles and responsibilities defined.

3. Performance Management

Annual Review

At the first Board meeting each year (or the first after a staff member's appointment) the Board Chair (or his/her nominee) will establish with each NTA staff member the goals for his/her position for the coming year.

Towards the end of that year the Board Chair (or his/her nominee) will complete an Annual Performance Review interview with the NTA staff member.

The review will jointly assess the employee's performance against his or her job description and agreed goals for that year as well as any essential training needs.

4. Staff and Volunteer Training and Development

NTA is, committed to providing staff and volunteers with the opportunity to participate in professional development activities that develop their skills, knowledge, and capacities, and that complement NTA's organisational goals, subject to available funds

Where the Board decides that it is necessary for a staff member or selected volunteer to acquire particular skills or knowledge to carry out the duties of their existing position or role, the Board will

agree on the training course(s) to be undertaken and approve the costs in advance. The staff member will be given permission to attend any such course within NTA working hours and be required to report back to the Board. Wherever possible, courses run by the Australian Council for International Development (ACFID) will be utilised by NTA.

5. Induction of New Staff, Board members and volunteers

When a new staff member is appointed, the CEO or a Board member will be delegated responsibility for managing a program of induction for that staff member. He/she can involve other Board members, volunteers, and staff or former staff in the induction process but is responsible for ensuring it takes place.

This induction process will cover:

- Detailing the job description and responsibilities, including any critical deadlines and training required.
- The full range of NTA policies and procedures relevant to the role to be undertaken, including the NTA Strategic Plan. Policies include those contained within sections of this HR Policy and in stand-alone policies listed at Clause 17.
- Introduction to key persons relevant for the role to be undertaken.
- NTA Code of Ethics.
- ACFID Code of Conduct.
- Clarifying accountability arrangements and necessary documentation.
- Introduction to NTA systems and processes, including financial management processes.
- Information about NTA structure, e.g., Board members and their responsibilities, Committees, their Charters and Chairs.
- Information about field partners (staff, projects, etc)
- Field Trip Manual for any person going to NTT.

Induction of new Board members

When new members join the NTA Board, an induction will be organised by the Board Chair (or his/her nominee), including the following:

- Australian Charities and Not-for profits Commission (ACNC) – Responsibilities of Board member
- NTA Code of Ethics and ACFID Code of Conduct
- Information about NTA structure, e.g., Board members and their responsibilities, committees and their TORs and Chairs.
- Introduction to NTA systems and processes, including financial management arrangements and systems, bank accounts, etc.
- Roles and responsibilities of staff
- The full range of NTA policies and procedures
- Annual Report for previous year and Strategic Plan
- Information about partners in NTT (staff, projects, etc.)
- Field Trip Manual for those going to NTT.
- Any recent evaluations or reviews of programs and systems of monitoring and evaluation (MEL Framework).
- NTA Risk register

Induction of new Volunteers

NTA Volunteers may be of three types:

- Active members of NTA committees or working groups;
- Specialist Volunteers in Australia (e.g., IT, Finance);
- Volunteers on Field Visits.

The induction of each type will be slightly different but all should be informed about:

- the NTA Code of Ethics and ACFID Code of Conduct;
- the NTA and its structure, history and role (including by access to the website, Annual Reports, and where relevant, the Charter of the Committee they are working with);
- relevant NTA policies and procedures, including financial management policies relevant to their voluntary work;
- the NTA's Strategic Plan.

Field Visit Volunteers will be given the Field Visit Manual and associated documentation to complete and return to the Board Secretary.

NTA CEO and Board should ensure that every volunteer is properly inducted by the Committee Chair or his/her nominee or by a staff member.

6. Staff and Volunteer Remuneration and Benefits

Staff remuneration and conditions will be agreed by the Board and will meet legislative requirements. An annual review of salaries will occur. Normally NTA will match CPI increments.

Staff and volunteers will only be reimbursed for any pre-approved expenditure incurred in the exercise of their duties. Approval for expenditure will be according to the NTA Financial Policy and must be within the NTA's annual budget.

Volunteers will normally be expected to cover their own costs of participating in NTA activities, including the Field Visit. Full policies and procedures for Field Visits are included in a separate Field Visit Manual which forms part of this Human Resources Policy.

7. Conflict of Interest Policy

The purpose of this policy is to help Board members, staff and volunteers of NTA to identify, disclose and manage any actual, potential or perceived conflicts of interest to protect the integrity of NTA and manage risk.

NTA aims to ensure that Board members, staff and volunteers are aware of their obligations to disclose any conflicts of interest they may have, and to comply with this policy so that they effectively manage those conflicts of interest as representatives of NTA.

Definition of conflict of interests

A conflict of interest occurs when a person's personal interests conflict with their responsibility to act in the best interests of the organisation. Personal interests include direct interests as well as those of family, friends, or other organisations a person may be involved with or have an interest in (for example, as a shareholder). It also includes a conflict between a Board member's duty to NTA and another duty that the Board member has (for example, to another charity). A conflict of interest may be actual, potential, or perceived and may be financial or non-financial.

These situations present a risk that a person will make a decision based on, or affected by, these influences, rather than the best interests of the NTA.

This policy has been developed because conflicts of interest commonly arise but do not need to present a problem to NTA if they are openly and effectively managed. It is the policy of the NTA as well as a responsibility of the Board that ethical, legal, financial or other conflicts of interest be avoided and that any such conflicts (where they do arise) do not affect the person's obligations to NTA.

NTA will manage conflicts of interest by requiring NTA Board members, staff, and volunteers making decisions in their NTA capacity to:

- Avoid conflicts of interest where possible;
- Identify and disclose any conflicts of interest;
- Carefully manage any conflicts of interest;
- Follow this policy and respond to any breaches.

The Board is responsible for:

- Establishing a system for identifying, disclosing, and managing conflicts of interest across the NTA;
- Monitoring compliance with this policy;
- Reviewing this policy on an annual basis to ensure that the policy is operating effectively.

NTA Board members should be made aware of the ACNC governance standards, particularly Governance Standard 5, and disclose any actual or perceived material conflicts of interests as required by that standard.

Identification and disclosure of conflicts of interest

Once an actual, potential, or perceived conflict of interest is identified, it must be entered into NTA's register of interests, as well as being raised with the Board. Where all Board members share a conflict, the Board should refer to Governance Standard 5 to ensure that proper disclosure occurs. The register of interests must be maintained by the Board Secretary and record information related to a conflict of interest (including the nature and extent of the conflict of interest and any steps taken to address it).

Once the conflict of interest has been appropriately disclosed, the Board (excluding the Board member disclosing and any other conflicted board member) must decide whether those conflicted board members should:

- Vote on the matter;
- Participate in any debate on the matter;
- Be present in the room during the debate and the voting.

In exceptional circumstances, such as where a conflict is very significant or likely to prevent a Board member from regularly participating in discussions, the Board should consider asking the person conflicted to resign from the Board.

In deciding what approach to take, the Board will consider

- whether the conflict needs to be avoided or simply documented;
- whether the conflict will realistically impair the disclosing person's capacity to participate in decision-making impartially;
- alternative options to avoid the conflict;
- the NTA's objects and resources; and
- the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of, the NTA.

The approval of any action requires the agreement of a majority of the Board (excluding any conflicted Board member/s) who are present and voting at the meeting. The agreed action and voting will be recorded in the minutes of the meeting and in the register of interests.

Compliance with this policy

If the Board has reason to believe that a person subject to the Policy has failed to comply with it, it will investigate the circumstances.

If it is found that the person has failed to disclose a conflict of interest, the Board may take action against them. This may include seeking to terminate their role with the NTA.

If a person suspects that a Board member, staff, or volunteer has failed to disclose a conflict of interest, they must notify the Board.

8. NTA Code of Ethics

This Code of Ethics represents minimum standards of behaviour expected of all Board members, staff, volunteers, and others associated with the NTA .

Staff, Board members, Volunteers and members shall:

- In all activities and business conducted under the aegis of NTA, place the interests of the organisation over their own interests or those of any other person;
- Observe the provisions of the constitution, policies, and rules of the organization, including any policies on conflict of interest;
- Treat other members, staff and volunteers of the organisation, including Board members and office-bearers, donors, and the members of the NTA's partner organisations with respect;
- Undertake any training necessary for the performance of their duties;
- In any work carried out for the organisation, follow the directions of their designated supervisors (e.g., Committee Chairs, Board members, or staff);
- Act so as not to bring the organisation or its mission into disrepute;
- Not subject any NTA employee, volunteer, partner staff, volunteer, or aid recipient to any form of discrimination, bullying or sexual harassment;
- Abide by the ACFID Code of Conduct;
- Endeavor to reduce the environmental impact of their work for NTA, e.g. use recycled or sustainably produced paper for marketing.

Staff shall:

- Carry out the duties specified by their contract of employment competently and in line with NTA Code of Ethics and ACFID Code of Conduct.

Board members shall:

- As far as possible, attend all meetings of the Board, and, if they are unable to attend any meeting, notify the Secretary of their absence in advance of the meeting;
- Allocate sufficient time to carry out their duties
- Treat all members, partners, and supports of the NTA with respect.

9. Marketing and personal information

NTA will ensure that any public communication is respectful of other NGOs. NTA will not denigrate other agencies or make inaccurate or misleading public statements regarding other agencies. Any

communication regarding another NGO will be factually accurate and will not intentionally or otherwise mislead or have the intention of creating a reputational or other advantage for NTA.

In its fundraising activities, the NTA will comply with the Australian Privacy Act 1988. NTA has the following policy about use of personal information in solicitation of funds.

The Privacy Act defines personal information as information or an opinion, whether true or not, and whether recorded in a material form or not, about an identified individual, or an individual who is reasonably identifiable.

Common examples are an individual's name, signature, address, telephone number, date of birth, medical records, bank account details, and commentary or opinion about a person.

NTA may use personal information (other than sensitive information) about an individual for the purpose of direct marketing (i.e., fundraising) only if:

1. NTA collected the information from the individual;
2. The individual would reasonably expect NTA to use the information for that purpose;
3. NTA provides and highlights a simple means by which the individual may easily request not to receive direct marketing communications;
4. The individual has not made such a request to the NTA.

10. Occupational Health and Safety

The NTA is committed to enabling all work activities to be carried out safely, with all possible measures taken to minimise risks to the health, safety and welfare of staff, volunteers, contractors, and anyone else who may be associated with our work.

NTA is committed to ensuring we comply with the *Work Health and Safety Act 2012*, the *Work Health and Safety Regulations 2012*, and applicable Codes of Practice and Australian Standards.

, NTA staff and volunteers participate in Field Visits of 1-5 weeks' duration. There is a separate *Field Visit Handbook* which deals with matters associated with working in NTT, including insurance, and the major medical and transport risks. NTT is a relatively safe and secure environment but one with health risks not present in Australia, such as malaria and dengue fever. NTA ensures that this environment is continuously monitored by the CEO and Board in relation to such risks.

NTA commits:

- to ensure that staff and volunteers have a safe working environment;
- to provide Information, instruction, training and supervision to ensure that each worker is safe from injury and risks to health, including on Field Visits;
- to consult and co-operate with workers in all matters relating to health and safety in the workplace, including those going overseas on Field Visits;
- to continually improve our performance through effective health and safety management.

Each staff member and volunteer has an obligation to:

- Comply with safe work practices, with the intent of avoiding injury to themselves and others;
- Take reasonable care of the health and safety of themselves and others;
- Wear personal protective equipment and clothing where necessary (e.g., on Field Visits);
- Comply with any direction given by the Board or CEO for health and safety;
- Not misuse or interfere with anything provided for health and safety;
- Report all accidents and incidents on the job immediately to the CEO or Secretary of the NTA Board, no matter how trivial;
- Report all known or observed hazards to a staff member or Board member.

Everyone is responsible for health and safety and NTA encourages suggestions for realising our health and safety objectives to create a safe working environment.

This policy applies to all NTA operations and functions, including those situations where staff and volunteers are overseas on NTA business.

Processes to be followed in the event of a dangerous incident or accident.

Incident refers to any event which causes or could have caused injury, illness, damage to plant, equipment, vehicles, property, material, or the environment, or public alarm.

It also includes fire, explosion, non-compliance with environmental regulatory requirements, vehicle incidents, and off-site incidents.

All accidents or incidents that result in an injury or work-related illness during paid or unpaid work for the NTA must be reported promptly to the CEO or Board Secretary. Any dangerous occurrence which has the potential to result in injury or damage to property must be reported in the same manner as an accident.

The NTA will take the most appropriate corrective action to ensure the incident does not recur.

11. Bullying, Unacceptable Behaviour and Violence in NTA activities

NTA will not tolerate unacceptable behavior such as bullying or violence in any of its activities or in the conduct of NTA work, whether paid or unpaid. Bullying is repeated, unreasonable behaviour directed toward a person, or a group of persons, that creates a risk to their wellbeing, health, and safety.

Examples of unacceptable behavior and bullying include:

- Verbal abuse;
- Excluding, ignoring or isolating a person;
- Psychological harassment;
- Intimidation;
- Assigning meaningless tasks unrelated to a person's job;
- Giving a person impossible assignments and deadlines;
- Unjustified criticism or complaints;
- Deliberately withholding information vital for effective work performance;
- Taunting, teasing or playing practical jokes on a person who is not a willing participant;
- Undermining the performance, reputation or professionalism of others by deliberately withholding information, resources or authorisation, or by supplying incorrect information;
- Malicious or mischievous gossip or complaints;
- Abusive or harassing communication (such as notes, emails, telephone calls and text messages) during or after working hours;
- Belittling opinions or unreasonable and unconstructive criticism;
- Offensive gestures and behaviour;
- Stealing or misuse of organisational resources;
- Viewing inappropriate images or pornography in hard copy or electronically.

Bullying can be verbal, or in writing, including online.

Violence refers to any incident where a person is physically attacked, abused, assaulted, or threatened during their participation in any NTA activities or in their conduct of NTA work.

Any breach of this policy may result in counselling and/or disciplinary action, which, in the case of an employee, may lead to dismissal, or, in the case of volunteers, may lead to their exclusion from NTA.

12. Sexual Harassment

NTA will not tolerate sexual harassment under any circumstances. Responsibility lies with the Board and all staff and volunteers to ensure that sexual harassment does not occur.

Both Federal and ACT Equal Employment Opportunity legislation provide that sexual harassment is unlawful and establish minimum standards of behaviour.

This policy applies to conduct that takes place in any work-related context, including committee meetings, Board meetings, conferences, work functions, social events, and field trips.

No employee or volunteer at any level should subject any other employee, volunteer, partner staff, volunteer, or aid recipient to any form of sexual harassment.

A breach of this policy will result in disciplinary action, including up to termination of employment in the case of paid staff, and exclusion from NTA in the case of volunteers.

Sexual harassment means any unwelcome sexual advance, unwelcome request for sexual favours, or other unwelcome conduct of a sexual nature which makes a person feel offended, humiliated or intimidated, and where that reaction is reasonable in the circumstances. Examples of sexual harassment include, but are not limited to

- Staring or leering;
- Unnecessary familiarity, such as deliberately brushing up against a person or unwelcome touching;
- Suggestive comments or jokes;
- Insults or taunts of a sexual nature;
- Intrusive questions or statements about a person's private life;
- Displaying posters, magazines or screen savers of a sexual nature;
- Sending sexually explicit emails or text messages;
- Inappropriate advances on social networking sites;
- Accessing sexually explicit internet sites;
- Requests for sex or repeated unwanted requests to go out on dates;
- Behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking, or obscene communications.

NTA encourages any employee or volunteer who feels they have been sexually harassed to take immediate action. If an employee or volunteer feels comfortable in doing so, it is preferable to raise the issue with the person directly with a view to resolving the issue by discussion. The employee or volunteer should identify the harassing behaviour, explain that the behaviour is unwelcome and offensive, and ask that the behaviour stops.

Alternatively, or in addition, they may report the behaviour confidentially to any Board member. Once a report is made, the NTA will deal with it in accordance with its obligations and this policy.

Any reports of sexual harassment will be treated seriously and promptly, with sensitivity. Such reports will be treated as completely confidential up to the point where a formal or informal complaint is lodged against a particular person, at which point that person must be notified under the rules of natural justice.

Complainants have the right to determine how to have a complaint treated, to have support or representation throughout the process, and the option to discontinue a complaint at any stage of the process.

The alleged harasser also has the right to have support or representation during any investigation, as well as the right to respond fully to any formal allegations made. There will be no presumptions of guilt and no determination made until a full investigation has been completed.

No employee or volunteer will be treated unfairly because of rejecting unwanted advances. Disciplinary action may be taken against anyone who victimises or retaliates against a person who has complained of sexual harassment, or against any employee or volunteer who has been alleged to be a harasser.

All employees and volunteers have the right to seek the assistance of the relevant tribunal or legislative body to assist them in the resolution of any concerns.

13. Misconduct

Where an employee or volunteer engages in misconduct or alleged misconduct, the following processes will be followed.

Behaviour amounting to misconduct includes, but is not limited to, the following:

- Failing to obey lawful and reasonable instructions of NTA;
- Failing to follow defined policies, procedures and rules;
- Failing to share relevant information with NTA;
- Unacceptable disruptive behavior;
- Bullying, sexual harassment and failing to comply with NTA Code of Ethics.

If proven, misconduct may provide a valid reason for termination of an employee's employment with notice, or in the case of a volunteer, exclusion from NTA activities.

Serious misconduct

Whether misconduct amounts to serious misconduct depends on the circumstances of a given case. The Board will consider the circumstances when determining whether the employee or volunteer has engaged in serious misconduct.

Behaviour amounting to serious misconduct includes, but is not limited to:

- Willful or deliberate behaviour that is inconsistent with the employee's contract of employment and the NTA Code of Ethics for staff and volunteers;
- Theft;
- Fraud;
- Assault;
- Intoxication at work (whether paid or voluntary work);
- Use of derogatory, violent or abusive language;
- Fighting;
- Failure to observe safety rules;
- Concealment of a material fact on engagement as staff or volunteer;
- Obscenity;
- Dishonesty in the course of the employment or volunteering;
- Criminal conduct including conduct that, if proven, renders the employee unfit for work or the volunteer unsuitable for the NTA.

14. Corruption, Fraud and Bribery Policy

NTA has zero tolerance of corruption, fraud, bribery and other financial impropriety. Corruption and fraud are contrary to the fundamental values of integrity, transparency, and accountability, undermine the effectiveness of development work, and undermine public trust.

What are corruption, fraud and bribery?

Corruption, fraud and bribery are related to each other.

Corruption is an abuse of a position of trust to gain an undue advantage. This includes financial corruption, such as fraud, bribery, and extortion, and non-financial corruption. Examples include diverting aid and assistance to non-target groups, allocating resources in return for sexual favours, giving preferential treatment to family and friends, and coercing and intimidating staff or beneficiaries to ignore or participate in corruption.

Fraud can be defined as dishonestly obtaining a benefit, or causing a loss, by deception or other means.

Bribery is a form of corruption. It is a specific offence that concerns the practice of offering or accepting money, gifts, or other benefits to gain an illicit advantage. Bribery, including provision of 'facilitation payments', is a crime in most countries and under the UN Convention Against Corruption, which has 174 party states.

There are laws in Australia against the bribery of foreign public officials to obtain or retain business, and some of NTA's overseas activities will be covered by these laws.

Any staff member, Board member, volunteer, or member of NTA and partner organisations in Indonesia who has a reasonable suspicion of corruption, bribery, or fraud in the organization or in its international partners and programs must immediately advise the CEO or a Board member so that the matter may be promptly and fully investigated.

Investigation of incidents

Incidents will be investigated by the CEO, or a member of the NTA Board, as outlined in the following policies:

1. Whistleblower Policy;
2. Complaints and Complaints Handling Policy.

Risk Mitigation

In addition to this Policy, a number of NTA policies and processes include mitigation strategies to manage the risks of corruption, fraud and bribery:

- Finance policy/financial controls;
- Due diligence processes for partner organisations, including in-country training and audit oversight;
- Processes to transfer funds overseas;
- Processes to acquit funds transferred overseas.

15. Grievance Policy

An employee or volunteer who considers they have a dispute or grievance that they have not been able to resolve directly with the party concerned should raise the matter with their immediate supervisor (e.g., chair of the relevant committee, staff member, or Board member) as a first step towards resolution. The two parties should discuss the matter openly and work together to achieve an acceptable outcome.

The person advised of this problem should follow the steps outlined below:

- Make sure that the employee or volunteer feels listened to and supported. You don't have to agree with what they say, but you must make sure that they know you will act on their concerns.
- If more than one person is present, establish the role of each person.
- Outline the process that is to be followed.
- Inform the parties that any information obtained in the conduct of the review is confidential.
- Listen to the complainant. Obtain a chronology of events (who, what, why, when, how).
- Run through the applicable policies and procedures (e.g., NTA's anti-discrimination policy) with the complainant.
- Ask the complainant what kind of outcome they are hoping for (best case scenario) and then talk them through next steps: e.g., you will discuss the matter confidentially with the Board Chair to determine a way to deal with the issue and report back to them within a set timeframe.
- Provide the complainant with plenty of time to ask questions.
- Provide the complainant with a direct contact number that they can call if they have any concerns or queries.
- Take accurate and detailed notes of all conversations (including dates, people involved) and attach any supporting documentation.
- If deemed necessary, provide the employee/volunteer with a written summary of the meeting and clarification of the next steps to be taken.

The person dealing with the complaint must ensure that the way the meeting is conducted is conducive to maintaining positive working relationships, and will provide a fair, objective and independent analysis of the situation.

All parties are to maintain complete confidentiality.

Investigating a Grievance or Dispute: the process to follow

Procedural fairness and transparency can make or break a workplace investigation. Maintaining procedural fairness means that you can:

- Protect the interests of the participants in the investigation;
- Enhance the credibility of the investigation process;
- Rely on the investigation (and your findings) when making employment decisions;
- Defend your employment decisions in a court or tribunal.

Following are some pointers to ensure that a workplace investigation is procedurally fair. The investigator should ensure that:

- The respondent is aware of all the allegations made against them in sufficient detail;
- The respondent is allowed a reasonable opportunity, including adequate time, to respond to each of the allegations;
- The investigation is carried out in a reasonable time frame;
- All participants are given the opportunity to have a support person in the interviews pertaining to the investigation;
- All participants are required to maintain confidentiality and sign a confidentiality agreement;
- The investigator has no personal interest or bias in the matter being investigated;
- All participants are given the opportunity to respond to any contradictory evidence;
- The investigator makes reasonable and diligent enquiries to ensure that there is sufficient evidence before making findings on the balance of probabilities.

16. Whistleblower Policy

NTA has a Whistleblower Policy which provides an additional pathway for reporting of corruption, fraud, bribery, and other financial impropriety.

The purpose of this policy is to:

1. Encourage the reporting of matters that may cause harm to individuals or financial or non-financial loss to the NTA or damage to its reputation;
2. Enable NTA to deal with reports from whistleblowers in a way that will protect the identity of the whistleblower as far as possible and provide for the secure storage of the information provided;
3. Establish policies for protecting whistleblowers against reprisal by any person internal or external to the organisation;
4. Provide for the appropriate infrastructure;
5. Help to ensure NTA maintains the highest standards of ethical behaviour and integrity.

The Whistleblower Policy is a stand-alone document and is published on NTA's website.

17. Communication and Dissemination of Information

NTA is committed to ensuring that all public communication is respectful of other NGOs, including ACFID members.

18. Board Member Governance Responsibilities

Under ACNC Governance Standard 5, NTA must take reasonable steps to ensure its responsible persons meet certain duties. Responsible persons include Board members, Committee members and paid staff. The following is a general summary of what each duty requires.

1. Act with reasonable care and diligence

Responsible persons are able to guide and monitor the management of NTA. They need to understand and keep informed about NTA's activities and finances. For example, it may be a breach of this duty if a responsible person failed to attend several board meetings in a row. However, this duty is not breached if a person cannot take part in managing NTA at the time (for example, because of illness). As well, a responsible person can rely on the special knowledge or expertise of another responsible person, adviser or expert, as long as they adequately inform themselves and make an independent assessment of that information or advice.

2. Act honestly in the best interests of NTA and for its purposes

Responsible persons make decisions by honestly considering what would be in the best interests of NTA and would further its charitable purposes as set out in NTA's Constitution. This duty is breached if a responsible person uses NTA property to benefit another organisation, where there is no real benefit to NTA or it did not further its charitable purpose.

3. Not misuse the position of responsible person

An example of misusing a position is where a responsible person is involved in paying another company owned or controlled by a friend or relative (when it is not reasonable payment for the goods or services provided).

4. Not to misuse information obtained in performing duties

An example of misusing information is if a responsible person gives confidential information about NTA's operations (that they have gained because of their role) to another person or organisation (even if it is to another charity).

5. Disclose any actual or perceived conflict of interest

Responsible persons should disclose any situation where they may appear to have a conflict between their duty to act and a personal (private) interest and should not discuss or vote on any matter where there is such a conflict. This is true even if there is no actual conflict.

A conflict should be disclosed whenever an independent observer could doubt that a responsible person is acting in the best interests of NTA. In general, the responsible person should disclose the conflict of interest to the other responsible persons. If there is only one responsible person or all of them have a conflict, then the conflict of interest should be disclosed to the members of the charity (if any).

ACNC provides further guidance in [Managing conflicts of interest](#).

6. Ensure that NTA's financial affairs are managed responsibly

As a minimum, responsible persons should have good processes to prevent problems and to manage money responsibly. This includes reading financial statements and having a process to ask questions if they do not understand.

ACNC provides further tips and guidance on its website:

- Read ACNC's [tips on having strong financial controls at your charity](#);
- ACNC guide [Protect your charity from fraud](#); and
- ACNC guide on [protecting your charity from harm](#).

7. Not allow NTA to operate while insolvent

If a responsible person reasonably suspects that NTA cannot pay all its debts when they become due, then the responsible person should take all reasonable steps to prevent NTA from taking on more debt. The governing body should regularly review the financial position and ensure there is enough money to pay for its activities.

When appointing a new responsible person, NTA can use the [ACNC's suggested letter of appointment](#), which sets out the duties under Governance Standard 5.

19. NTA Policies

In stand-alone documents:

- Field Visit Manual;
- Human Rights Policy, incorporating:
 - Gender Equality Policy; and
 - Inclusion of People with Disabilities.
- Safeguarding Policy
 - Child Protection Policy
 - Policy for Preventing Sexual Exploitation, Abuse and Harassment
- Privacy Policy;
- Counter-Terrorism, Anti-Money Laundering and Criminal Misuse Policy;
- Whistleblower Policy;
- Complaints and Complaints Handling Policy;
- NTA Policy on Development and Evangelism, Development and Welfare, and Development and Politics;
- Environmental Sustainability Policy.

20. Reviewing this policy

This policy will be reviewed every 5 years or as required to assess its effectiveness, appropriateness, and accuracy.