ELECTION OF A GOVERNING BODY

POLICY NUMBER: NDIS GOV 1

INTENT

The intent of this Policy is to ensure that there is a clear and transparent process for the election of persons to the Management Committee in accordance with the Constitution of the Association, the Associations Incorporation Act 1981 and the Associations Incorporated Regulation 1999.

DEFINITION

The governing body of Real Living Options Association Inc. will be called the Management Committee.

POLICY STATEMENTS

Election of the members of the Management Committee of the Association will be in line with the Constitution of the Association. Any person elected to the Management Committee must:.

- Meet the requirements as set out in section 61A of the Australian Incorporations Act 1981 (QLD).
- Be a financial member of Real Living Options Association Inc.
- Be able to work within and support the Service Principles of the Association.
- Undergo NDIS Worker (Criminal History) Screening to obtain and maintain a Positive Notice in accordance with the Disability Services Act 2006 and/or the National Disability Insurance Scheme Act 2013.
- Sign a Code of Conduct and a Confidentiality Agreement for Management Committee Members.

Membership of Management Committee

- The Management Committee of the Association comprises not less than 4 members and not more than 10 members.
- The Management Committee consists of a President, Secretary and Treasurer, and other members the Association members elected at a General Meeting.

- As far as is practicable, the Management Committee will encourage Family/Advocates of Users of the Service to be members of the Management Committee.
- The Management Committee membership should represent a broad mixture of skills, experience and background that reflects the governance requirements and strategic objectives of the Association.
- A Management Committee member cannot be the Chief Executive Officer or General Manager.
- It is the policy of Real Living Options Association Inc. that all employees of the association are not eligible to hold a position on the Management Committee.
- Members are elected to the Management Committee for a two-year term.
- One-half of the members of the Management Committee holding office at the Annual General Meeting are eligible on nomination for re-election after their two-year tenure has expired.
- In selecting members to the Management Committee, consideration will be given to having diversity within the members of the Management Committee as well as a consideration of gender, age and cultural appropriateness.
- A member of the Association may be appointed to a casual vacancy on Management Committee under rule 20 of the Constitution.

PROCEDURES

Selecting the Management Committee

The process for election to the Management Committee is:

- An Expression of Interest in Membership of the Management Committee must be completed prior to nomination to serve as a member of the Management Committee.
- Any 2 members of the Association may nominate another member (the *candidate*) to serve as a member of the Management Committee.
- The nomination must be:
    - In writing.
    - Signed by the candidate and the members who nominated him or her.
    - Given to the Secretary at least 14 days before the Annual General Meeting at which the election is to be held.
    - The nominated candidate must attend a meeting with an executive member of the Management Committee prior to the Annual General Meeting.

- Each member of the Association present and eligible to vote at the Annual General Meeting may vote for 1 candidate for each vacant position on the Management Committee.
- A person may be a candidate only if the person:
    - Is 18 years old or over.
    - Is not ineligible to be elected as a member under section 61A of the Associations Incorporation Act.
    - Is not ineligible because of Clause 18(2) Point c- which states in the interest of avoiding any possible or perceived conflicts of interest is not a direct Participant of the Association.
- A list of the candidates' names in alphabetical order, with the names of the members who nominated each candidate, must be posted in a conspicuous place in the office or usual place of meeting of the association for at least 7 days immediately preceding the Annual General Meeting.
- If required by the Management Committee, balloting lists must be prepared containing the names of the candidates in alphabetical order.
- The Management Committee must ensure that, before a candidate is elected as a member of the Management Committee, the candidate is advised:
    - Whether or not the Association has public liability insurance.
    - If the Association has public liability insurance - the amount of the insurance.

Resignation, Removal or Vacation of Office of Management Committee Member

- A member of the Management Committee may resign from the committee by giving written notice of resignation to the Secretary.
- The resignation takes effect at:
    - The time the notice is received by the Secretary; or
    - If a later time is stated in the notice, the later time.
- A member may be removed from office at a general meeting of the Association if a majority of the members present and eligible to vote at the meeting vote in favour of removing the member.
- Before a vote of members is taken about removing the member from office, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office.
- A member has no right of appeal against the members removal from office under this rule.

- A member immediately vacates the office of member in the circumstances mentioned in section 64(2) of the Act.

Vacancies on Management Committee

- If a casual vacancy happens on the Management Committee, the continuing members of the Management Committee may appoint another member of the Association to fill the vacancy until the next Annual General Meeting.
- The continuing members of the Management Committee may act despite a casual vacancy on the Management Committee.
- However, if the number of Management Committee Members is less than the number fixed under rule 24(1) as a quorum of the Management Committee, the continuing members may act only to:
    - Increase the number of Management Committee members to the number required for a quorum; or
    - Call a General Meeting of the Association.
- Recruitment to a casual vacancy between Annual General Meetings will be as follows:
    - An Expression of Interest in becoming a Member of the Management Committee Form will be completed.
    - The person will be interviewed by an Executive member of the Management Committee and may be invited to attend a Committee meeting as a guest with no voting rights.
    - If the person is not already a Member, an Application for Membership of the Association must be completed and membership paid. The application will be presented to the next Management Committee meeting.
    - The Expression of Interest in becoming a Member of the Management Committee must be approved before a Nomination for a Position on the Management Committee Form is to be completed.
- The new Committee Member will receive an induction as per policy NDIS GOV 2 Induction of Committee prior to attending the next Management Committee meeting.

DELEGATIONS

All Committee Members.

RELATED DOCUMENTATION

Application for membership of the Association.
Expression of Interest in Becoming a Member of the Management Committee Form.
Nomination Form for a Position on the Management Committee.
All Annual General Meeting documents.
Skills and Experience Register of the Management Committee.
Policy NDIS Gov 2 Induction of Committee.

REFERENCES

Queensland Disability Services Act 2006.
National Disability Insurance Scheme Act 2013.
NDIS Terms of Business.
Associations Incorporation Act 1981.
The Constitution of Real Living Options Association Inc.
NDIS Practice Standards and Quality Indicators.

AMENDMENTS/REVIEWS

Amended 09/08/2012.
Amended 25/09/2014.
Amended 28/09/2017.
Amended 28/06/2018.
Amended 04/06/2020.
Amended 01/06/2023.
Amended 21/05/2026.