POLICY NUMBER: NDIS GOV 6

INTENT

The Governance Policy is intended to clarify governance responsibilities in line with the Constitution of the Association by making explicit the underlying principles of governance approved by the Association.
Real Living Options Association Inc. is committed to providing a high-quality service to Participants and maintaining business practices that demonstrate high standards of corporate governance in line with the Service Principles.
Governance refers to the framework of rules, relationships, systems and processes by which an Association is directed, controlled and held to account and through which authority is exercised and maintained.

The purpose of this policy is to:

- Ensure the Service business operates in accordance with legal, regulatory and Constitutional standards.
- Establish a framework for corporate governance that promotes transparency and safeguards against individuals unethical or unlawful practice.
- Outline control measures that govern the internal and external actions of staff, volunteers and contractors and/or any person who is conducting business on behalf of Real Living Options Association Inc.

DEFINITION

***Governance**: is the process whereby decisions important to the future of an organisation are taken, communicated, monitored and assessed. It refers to the authority, accountability, stewardship, leadership, direction and control exercised in the organisation.*

POLICY STATEMENTS

- Real Living Options Association Inc. is committed to having good governance and ethical leadership by having processes in place to ensure the overall direction, effectiveness, supervision and accountability of the Service.
- Real Living Options Association Inc. will maintain a Constitution which will function as the Terms of Reference for the Association.

- The Management Committee of Real Living Options Association Inc. is an elective, representative and collective body in the following way:
    - **Elective** in that Management Committee Members are elected by members of the Association through the election process at the Annual General Meeting (AGM).
    - **Representative** in that all Members are committed to acting selflessly and making decisions and voting on governance decisions solely in the best interest of the Association.
    - **Collective** in that each Member puts forward their own point of view and has the right to argue and vote for that point of view. Once a collective decision is taken, Management Committee Members are required to support that decision.
- Management Committee Members take ultimate responsibility for the governance of Real Living Options Association Inc.
- Governance is also responsible for the way the Association works with the General Manager to ensure the Association is effectively and properly run and meets the needs for which the Association was set up.

Relationship with the General Manager

- The role of the Management Committee is to focus on the strategic direction and the core policies of the Association and avoid becoming involved in day-to-day operational decisions which are overseen by the General Manager.

Commitment to Quality

- Real Living Options Association Inc. is committed to providing high-quality services to its Participants in a supportive environment. This commitment is in line with National Disability Insurance Service requirements and the Service Principles of the Service.
- Real Living Options Association Inc. will use information obtained through continuous improvement processes, complaints and feedback, incidents, work health and safety, information management, risk management, and legislative or regulatory changes to review and improve policies, procedures, and practices to ensure Participant and community requirements continue to be met.
- Real Living Options Association Inc. will seek feedback from Participants and/or their Representatives/Nominees and Staff to ensure that the Service is meeting their requirements and to provide high quality, responsive service.

PROCEDURES

Duties of a Member of the Management Committee

The members of the Management Committee must comply with their duties as members of the Management Committee under legislation and common law and with the duties prescribed in Governance Standard 5 of the Regulation made under the Australian Charities and Not for Profit Commission Act which are:

- To exercise their powers and discharge their duties with the degree of care and diligence that a reasonable individual would exercise if they were a member of the Management Committee of an Association.
- To act in good faith in the best interest of the Participant.
- At all times be cognisant of the service's commitment to Person centred practice - that is the Participant is central to any policy decisions which affect them.
- To act in good faith in the best interest of the Association and to further charitable purpose(s) of the Association.
- Not to misuse their position as a member of the Management Committee.
- Not to misuse information they gain in their role as Management Committee Member.
- To disclose any perceived or actual material conflicts of interest in the manner set out by the committee.
- To ensure the financial affairs of the Association are managed responsibly and not to allow the Association to operate while it is insolvent.

The Function of the Management Committee of the Association

The function of the Management Committee is to collectively ensure the delivery of its objectives, to set strategic direction, and to uphold the Service Principles of the Association. The responsibilities of the Management Committee that cannot be delegated to any other person or body include:

- Compliance monitoring – ensuring compliance with the objects, purposes and values of the Association policies.
- Approve policies and monitor performance against them.
- Strategic planning – review and approve strategic direction and initiatives.
- Regulatory monitoring – ensure that the Association complies with all relevant laws, regulations and regulatory requirements.
- Financial monitoring – review the budget of the Association quarterly, monitoring management and financial performance to ensure the solvency, financial strength and good performance of the Association.

- Financial reporting – set and maintain policies and procedures and systems for financial control, reviewing and approving all financial statements and ensuring required reports to the Office of Fair Trading, Australian Charities and Not for Profit Commission (ACNC), The National Disability Insurance Agency and other funding body or bodies.
- Organisational structure – set and maintain a framework of delegation and internal control.
- Leadership selection – select, train and evaluate the performance of the General Manager, and if necessary, dismissal.
- Human Resource Management – ensure employment and training of workers who are competent in their role, hold relevant qualifications and experience to provide person centred support.
- Succession planning – planning for succession of Management Committee Members and senior staff.
- Quality Management – Participants and staff benefit from a quality management system which promotes continuous improvement of support delivery.
- Risk Management – review and monitor the effectiveness of risk management and compliance in the Service, including risks to Participants, staff, volunteers, and contractors.
- Information Management – Management of all information including Participants' information to ensure it is identifiable, accurately recorded, current and confidential.
- Complaints, Disputes and Appeals Management – deal with and manage complaints, disputes and appeals that may arise within the Association within an agreed and acceptable timeframe.
- Incident Management – Maintaining an incident management system ensuring that incidents are acknowledged, responded to, well managed and learned from.
- Dispute Management – dealing with and managing conflicts that may arise within the organisation, including conflicts arising between members of the Management Committee, other members, staff, volunteers or Participants within an agreed and acceptable timeframe.
- Social responsibility – considering the social, ethical and environmental impact of all activities and operations and ensuring that these are acceptable.
- Management Committee performance and composition – evaluating and improving the performance of the Management Committee.

DELEGATIONS

Management Committee

- Establish and maintain Policies and Procedures, Standing Orders and systems for financial control and internal control.
- Ensure there is a system for the regular review of the effectiveness of its financial control, internal control, performance reporting, and policies and procedures.
- Ensure an Annual General Meeting is conducted in accordance with the Constitution of the Association.
- Oversee and approve an annual budget which is reviewed quarterly and identify and monitor systems of financial control.
- Participate in developing, reviewing and approval of a Strategic Plan.
- Ensure as far as practicable a Complaints, Disputes and Appeals system is available and followed.
- Appoint and establish the functions of all Sub-committees including the Resource, Grievance, Finance and Policy or any other Sub-committee which may from time to time be appointed.
- Approve the Role and Responsibilities of Management Committee Members.
- Approve the Position Descriptions and Terms of Employment of the General Manager.
- Provide training as required to members of the Management Committee.

General Manager

- Managing day-to-day operations in accordance with agreed standards for social, ethical and environmental practices.
- Developing the budget and managing day-to-day operations within the budget.
- Maintaining an effective risk management framework.
- Making recommendations for the appointment of staff, determining terms of appointment, evaluating performance, and developing and maintaining succession plans for staff.
- Keeping the Management Committee and regulators informed about any developments with a material impact on the Service's performance
- Report and advise the Management Committee of all operational aspects of the Association to enable informed Governance.

RELATED DOCUMENTATION

All Real Living Options Association Inc. Policies and Procedures.
Conflict of Interest Register.
Strategic Plan.
NDIS Individual Service Agreement.

REFERENCES

The Constitution of Real Living Options Association Inc.
Associations Incorporations Act 1981.
Queensland Disability Services Act 2006.
NDIS Practice Standards and Quality Indicators.
National Disability Insurance Scheme Act 2013.
NDIS Terms of Business for Providers.
Anti-Discrimination Act 1991 (Qld).
Corporations Act 2001.
Privacy Act 1988.
Work Health and Safety Act 2011.

AMENDMENTS/REVIEWS

Amended 09/08/2012.
Amended 02/10/2014.
Amended 26/07/2018.
Amended 25/06/2020.
Amended 01/06/2023.
Amended 21/05/2026.