



MEMBERS CHARTER

National Aboriginal and Torres Strait Islander
Ageing and Aged Care Council Ltd

(the Council)

Adopted by the Company Members on 9th June 2022

1. THE COUNCIL'S STATEMENT OF INTENT

- 1.1 Aged care is one of the only areas where closing the gap targets have not been set.
- 1.2 Now is a once-in-a-generation opportunity to close the gap for Aboriginal and Torres Strait Islanders elders.
- 1.3 Only when Aboriginal and Torres Strait Islanders are enabled to plan and run aged care for themselves will we give real substance to our oft-spoken respect for elders 'past, present, and emerging'.
- 1.4 The community-controlled health sector has shown how this approach can deliver transformative outcomes for Indigenous people.
- 1.5 It is about **Our Care. Our Way. Our Future.**
- 1.6 This means a radical 'cultural rebuild' of aged care, where responsibility for access, assessment, and service delivery for Aboriginal and Torres Strait Islanders elders is placed in the hands of the Aboriginal and Torres Strait Islander community – to be Aboriginal and Torres Strait Islander controlled, designed, and delivered, every step of the way.
- 1.7 The Council is established as a new peak entity to represent the voice of the Indigenous communities and formalise Indigenous authority through:
 - a) Promoting the views and aspirations of older Aboriginal and Torres Strait Islander people in the development and implementation of government ageing and aged care policies and strategies;
 - b) Informing government aged care reforms and associated program design and service delivery to ensure equitable access to aged care, which meets the needs of all older Aboriginal and Torres Strait Islander people; and
 - c) Identifying priorities and contribute to research to enhance the evidence base on Aboriginal and Torres Strait Islander people's ageing experiences, aged care needs and strategies which are effective in meeting those needs.

2. OBJECTIVES

The Council will achieve its purpose through:

- 2.1 Developing culturally appropriate ageing and aged care policies and managing implementation of sustainable ageing aged care programs and processes which:
 - a) respond effectively to the needs of Aboriginal and Torres Strait Islanders Elders in metropolitan, regional, rural and remote areas; and

- b) facilitate access and participation in programs and support services at equitable rates for the Aboriginal and Torres Strait Islander Elder population;
- 2.2 Advocating for improvements in the ageing and aged care sector which will benefit Aboriginal and Torres Strait Islander Providers and Aboriginal and Torres Strait Islanders;
- 2.3 Being a centre of excellence in Ageing and Aged Care Services for Aboriginal and Torres Strait Islanders by providing leadership, developing best practices and conducting research to improve life expectancy and quality of life of Aboriginal and Torres Strait Islanders;
- 2.4 Providing education, training and other services to support and assist Aboriginal and Torres Strait Islander Providers and other organisations involved in providing Ageing and Aged Care Services to Aboriginal and Torres Strait Islanders;
- 2.5 Developing constructive partnerships and relationships within the ageing and aged care sector to improve quality, availability and suitability of Ageing and Aged Care Services for Aboriginal and Torres Strait Islanders; and
- 2.6 Collecting data and participating, collaborating and leading research that seeks to:
 - a) create efficiencies and other benefits to the Aboriginal and Torres Strait Islander Providers for the benefit of the Community; and
 - b) improve availability and suitability of Ageing and Aged Care Services for the Community.

3. PRINCIPLES OF MEMBERSHIP

- 3.1 The following principles are fundamental to the business conducted by the Council:
 - a) The Council is founded on a co-operative basis between its Members as a company limited by guarantee to pursue the purposes and objectives set out in the Council's Constitution;
 - b) Membership of the Company requires an ongoing obligation on each Member to act in good faith to each other Member and to the Company as a whole and not to engage in conduct prejudicial to the interests of the Company;
 - c) Membership of the Company requires that each Member adheres strictly to the obligations imposed on Members which are set out in the Council's Constitution and this Member Charter; and
 - d) The Company has obligations to its Members and is accountable to them through the governance structures set out in the Constitution and policies and procedures adopted by the Board from time to time.
- 3.2 Eligibility criteria, categories of Membership, Member rights and requirements for applications for Membership are set out in the Council's Constitution.

4. MEMBER CODE OF CONDUCT

4.1 General Standards of Behaviour

Council Members are expected to adhere to the following minimum standards of conduct:

- a) Commit to and support the Council's purpose and objectives through active engagement, participation and contribution to Council activities and initiatives;
- b) Uphold and enhance the reputation of the Council through exemplary conduct and strive to develop the Council's reach and influence;
- c) Support the strategic direction of the Council by promoting best practice, continuous improvement and innovation;
- d) Demonstrate integrity, honesty and ethical behaviour at all times;
- e) Act always within the law, contractual obligations and regulations and advise the Council in the event of regulatory actions or sanctions; and
- f) Treat fellow members, the Board, Council staff and stakeholders with respect in all engagements and circumstances.

4.2 No Action to Damage the Council or Members

Members will not, in their practice, behaviour or communication, including with clients, staff, jobseekers, other stakeholders or the media, demean or impugn the reputation of a Member, the Council or its employees or otherwise behave in any manner or pursue any practice that may bring the Council or any member into disrepute.

4.3 Governance

Member organisations must meet the governance and reporting requirements of the legislation under which they are incorporated and other relevant legislation which applies to the Member.

Without limiting the above, each Member must commit to and support the Charter of Aged Care Rights in all its operations and activities.

4.4 Confidential Information

Members may have access to confidential information of the Council or another Member in connection with their Council membership.

Each Member must:

- a) treat confidential information as secret and confidential and as the property solely of the party providing it;
- b) not use such confidential information for any purpose other than the purpose for which the confidential information has been provided;
- c) only disclose the confidential information to those of its staff and other professional consultants under an obligation of confidentiality who require the confidential information to enable the Member to perform the purpose for which the Member was provided the confidential information; and
- d) immediately notify the party to whom the confidential information belongs if the Member becomes aware that any person has disclosed or is suspected by it of disclosing or intending to disclose any confidential information to any other person otherwise than in accordance with this clause.

4.5 Payment of Membership Fees

On admission as a Member, the Member must pay to the Council the Admission Fee determined by the Board. Each Member must also pay the Annual Fee determined by the Board in accordance with the Council's Constitution.

4.6 Failure to Comply

Each Member independently agrees that a failure on its part to comply with any provision of this Members Charter or the Council's Constitution may constitute conduct prejudicial to the interests of the Council and may result suspension or expulsion from the Council as determined by the Board in accordance with clause 13 of the Council's Constitution. A suspended or excluded Member will have the right to appeal the Board's decision, which will be adjudged by Members at a general meeting.

4.7 Settling Disputes

- a) The Members must promptly and in good faith attempt to resolve any dispute which arises between them in relation to the operation of the Council before beginning mediation proceedings.
- b) If a Member or the Company wants a dispute resolved it must:
 - I. notify the other Members that the dispute exists;
 - II. submit the dispute to the Chairperson for resolution, and if the Chairperson is unable to resolve the dispute within 28 days of its being referred;
 - III. submit the dispute to the Board for resolution.
- c) If the Board is unable to resolve the dispute within 28 days after referral the parties shall be referred the dispute to mediation under the Australian Disputes Centre mediation rules.

5. COUNCIL OBLIGATIONS

5.1 Accountability of the Council

The Board is accountable to its Members for the overall performance of the Council.

5.2 Transparency and Engagement

The Council will operate on the basis of transparency and engagement and the Board will consult with Members in relation to significant issues to the extent practicable.

The Council will use its best endeavours to:

- a) keep Members informed of industry news and information relevant to their organisation; and
- b) provide Members with opportunities to have their say on issues of importance to their organisation as relevant to the purpose and objectives of the Council.

5.3 Access to Council Documents

Each Member has a right to access the following documents on request:

- a) Board policies;
- b) Minutes of the Annual General Meeting or Special General Meeting of the Council;
- c) The Council Strategic Plan; and
- d) Audited financial statements of the Council.

5.4 Change in Obligations of Members

Any proposed change to the Constitution or the Members Charter will be subject to consultation with members and can only be given effect following a Special Resolution at the Annual General Meeting or a Special General Meeting of the Council.

6. COMMUNICATION PROTOCOL

6.1 The Chairperson and Chief Executive Officer are delegated as media contacts for the Council. Members should direct any media enquiries or requests for information regarding Council activities or initiatives in the first instance to the Chief Executive Officer.

6.2 If any Member has concerns regarding the Council's operations or direction including any suggestions for improvement or complaints, please raise in the first instance with the most relevant staff member. If the Member remains dissatisfied please ask for the matter to be referred to the Chief Executive

Officer. In the event the Member continues to be dissatisfied with our response, please ask for the matter to be referred to the Board of Directors who will investigate the matter further.

7. REVIEW OF CHARTERS

7.1 This Members’ Charter will be reviewed every two years or sooner if required.

8. APPROVING AUTHORITY

ROLE	POSITION	DATE
Approval Authority	Board Chairperson on authority of the Members	9 th June 2022

9. VERSION HISTORY

VERSION	APPROVAL DATE	DESCRIPTION OF CHANGE	APPROVAL AUTHORITY	REVIEW DATE
1	9 th June 2022	New Member Charter	Board Chairperson	30th June 2024