



Moorabbin Little Athletics Centre Incorporated (MLAC)

Policy Document

Corporate Governance Policy & Code of Conduct

Document Approval
MLAC Centre Executive

Document Owner
MLAC Centre Executive

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13/07/2016

Controlled Document

TABLE OF CONTENTS

A. PURPOSE	2
B. AUTHORITY	2
C. EFFECTIVE DATE	2
D. AMENDMENTS	2
1. THE ROLE OF THE CENTRE EXECUTIVE	2
2. CENTRE EXECUTIVE AND GENERAL COMMITTEE PROTOCOL	3
3. CODE OF CONDUCT	4
4. BREACH OF THE CODE OR OTHER APPLICABLE LAWS.....	4
5. REPORTING BREACHES.....	5
6. POLITICAL CONTRIBUTIONS.....	5
7. PROHIBITED PAYMENTS	5
8. CIRCUMSTANCES WHERE RECEIVING A GIFT IS PROHIBITED	5
9. PROTECTION OF ASSETS.....	5
10. ACCOUNTING RECORDS.....	6
11. CONFIDENTIAL INFORMATION	6
12. UNAUTHORISED STATEMENTS.....	6
13. COPYRIGHT	6
14. DEALING WITH AUDITORS	7
15. CONFLICT OF INTEREST	7
16. WORKING WITH CHILDREN CHECK	7
POLICY ADMINISTRATION	8
DOCUMENT CONTROL SHEET	9

A. PURPOSE

To provide a minimum framework that allows the Centre Executive to manage Moorabbin Little Athletics Centre Incorporated (“MLAC”) in accordance with its objects and powers in the MLAC Constitution.

B. AUTHORITY

The Corporate Governance Policy & Code of Conduct was approved by the Centre Executive on 13/07/2016.

C. EFFECTIVE DATE

The Corporate Governance Policy & Code of Conduct is to take effect from 13/07/2016.

D. AMENDMENTS

Any amendments to this policy are to be recorded in the Document Control Sheet stating the date of adaptation and the effective date upon which any amendment is to take effect.

1. THE ROLE OF THE CENTRE EXECUTIVE

The Centre Executive acknowledges its accountability to its members to ensure MLAC safeguards members’ funds and operates in an enlightened and responsible way.

The Centre Executive aims to achieve these objectives through:

- improving the performance of MLAC through the formulation, adoption, monitoring and reviewing of strategies, budgets, plans, policies and performance;
- providing management of MLAC;
- approving capital expenditure;
- monitoring the conduct of MLAC directors, Committee members and members;
- identifying and monitoring the prudential risks of MLAC;
- establishing committees where appropriate;
- ensuring that appropriate procedures are in place to satisfy its legal responsibilities whilst conducting its business in compliance with all laws and in an honest, open and ethical manner;
- ensuring there are adequate plans and procedures for succession planning;
- monitoring the financial performance of MLAC; and
- setting strategic direction including responsibility for approving and reviewing strategies and relevant policies.

2. CENTRE EXECUTIVE AND GENERAL COMMITTEE PROTOCOL

1. Centre Executive and General Committee members agree to be bound by the letter and the spirit of this protocol.
2. Centre Executive and General Committee members owe their duties under the law to act in good faith, for a proper purpose, to exercise their powers with diligence and care to MLAC as a whole and not to any individual or group of members.
3. The members through the Constitution have delegated powers to the Centre Executive as a whole and not to any one member on the Centre Executive. Decisions are made collectively and members are bound by those collective decisions.
4. Centre Executive and General Committee members must refrain from making representations or agreements on MLAC's behalf or seeking to influence stakeholders unless they receive specific delegation from the Centre Executive to do so.
5. Centre Executive and General Committee members will conduct themselves at all times with good will and in a harmonious and collegial manner.
6. Centre Executive and General Committee members must not use their position to gain, directly or indirectly, an advantage for themselves or any other person or to cause detriment to MLAC and its members.
7. Centre Executive members will support the letter and the spirit of Centre Executive decisions when in contact with members, stakeholders or other parties outside Centre Executive meetings.
8. Centre Executive discussions and material for Centre Executive meetings are confidential and should not be released except as decided by the Centre Executive as a whole.
9. Centre Executive and General Committee members should not act in a way that brings discredit on themselves, the Centre Executive, MLAC and its members or Little Athletics Association of Victoria ("LAVic") or a LAVic Region as created by an instrument under the LAVic Constitution.
10. Centre Executive members should attend all Centre Executive meetings unless they have previously obtained a leave of absence or provided a reasonable excuse for such absence.
11. Proper consideration of all relevant Centre Executive material provided under Rule 19.1(c) of the Constitution for Centre Executive meetings should be undertaken before meetings.
12. It is appropriate that Centre Executive members with agenda item/s advise the Secretary in time for the item/s to be added to the Centre Executive agenda and the Centre Executive be given sufficient time to consider the item/s.
13. Where disagreements occur, every effort should be made to resolve the issues and avoid dissention.
14. Open and constructive debate is required in Centre Executive and General Committee meetings and an atmosphere of respectful disagreement is expected.
15. Centre Executive members should keep themselves up to date with the affairs of MLAC and the Centre Executive.

16. Electronic correspondence including (not limited to) email, SMS, social media requiring acknowledgement or action by a Centre Executives member should be acknowledged by return electronic message within three (3) business days unless it is impractical to do so.
17. Material conflicts of interest must be declared as soon as a Centre Executive or General Committee members becomes aware of them and/or at the beginning of each meeting. Centre Executive or General Committee members who have declared a conflict of interest must withdraw from discussion unless all Centre Executive members who do not have a conflict resolve that they should stay.
18. Centre Executive members recognise that to be an effective Centre Executive the President must be supported by them in the performance of that role including maintaining order and making Centre Executive discussions run smoothly.
19. The President must ensure all Centre Executive and General Committee members are given a reasonable opportunity to put forward their views.
20. Contributions to discussions should be brief and relevant and build upon previous contributions of others.
21. The President should attempt to recognise when a consensus is emerging, to articulate it and to ensure decisions are unambiguous.
22. Each Centre Executive member is required to actively support a resolution, actively oppose it or expressly abstain from supporting or opposing it.
23. The President has no powers over the MLAC's affairs beyond those of any other Centre Executive member.
24. Draft Centre Executive minutes should be circulated as soon as possible to all Centre Executive members. The Secretary should be notified of any major concerns regarding the draft minutes promptly.
25. The Centre Executive will annually review the performance of its Centre Executive members and satisfy itself that the composition is appropriate to the needs of MLAC.
26. This protocol will be reviewed annually and may be amended to reflect the current needs of the Centre Executive and MLAC.

3. CODE OF CONDUCT

The Centre Executive has adopted and enforces the LAVic Code of Conduct ("Code").

All little athletes, coaches, officials, Centre Executive and General Committee members ("administrators"), parents and spectators are expected to observe and abide by this Code.

The LAVic Code can be accessed [here](#)

4. BREACH OF THE CODE OR OTHER APPLICABLE LAWS

Any breach of applicable laws, MLAC Constitution, MLAC policy, MLAC regulation or LAVic Code by any member of MLAC may result in disciplinary action.

Such disciplinary action may include (depending on the severity of the breach) expulsion, suspension, fine or other penalty, action or education process including reprimand or formal warning, in accordance with Rule 10.1 of the Constitution.

Similar disciplinary action will be taken against any person who directly approves of such action or has knowledge of the action and does not immediately take appropriate remedial action.

5. REPORTING BREACHES

Members are requested to report immediately any circumstance that may involve a deviation from the Corporate Governance Policy & Code of Conduct or other applicable laws to the President.

If the member believes this to be inappropriate for any reason, they may report their concern directly to a member of the Centre Executive.

Where the President or Centre Executive receives a report directly, unless proper and good reason exists not to do so, they will inform the Centre Executive of the matter with a view to efficiently and expeditiously investigating and resolving the issue/s.

Any member of the Centre Executive receiving a report needs to exercise judgement to ensure there is no conflict of interest. The most common conflict of interest would be where a member of the Centre Executive is the subject of the report.

6. POLITICAL CONTRIBUTIONS

Political contributions e.g., any government official, political party or political candidate must not be made directly or indirectly on behalf of MLAC without prior Centre Executive approval.

7. PROHIBITED PAYMENTS

Inducements, bribes, kickbacks or other illegal payments of any kind must not be made to any government official, member, supplier or any other party in connection with obtaining orders or favourable treatment or for any other purpose.

All Centre Executive and General Committee members must not seek or accept any type of compensation, fee, commission or gratuity from a third party in connection with the operations of MLAC.

8. CIRCUMSTANCES WHERE RECEIVING A GIFT IS PROHIBITED

All Centre Executive and General Committee members must not give, seek or accept in connection with the affairs of MLAC any gift, entertainment or other personal favour, which goes beyond common courtesies associated with ethical practice.

9. PROTECTION OF ASSETS

The Centre Executive is responsible for taking all prudent steps to ensure the protection of MLAC's assets and resources. In particular, care should be taken to minimise the possibility of theft of MLAC property by any person.

MLAC owned or leased assets and resources are to be used for the purposes of MLAC business and in accordance with appropriate authorisations.

10. ACCOUNTING RECORDS

The Centre Executive must ensure that all MLAC accounting records accurately and fairly reflect in reasonable detail the underlying transactions of MLAC and of all changes in MLAC assets and liabilities and any disposal of MLAC assets.

Accounting records must be maintained in accordance with generally accepted accounting principles and the financial and accounting policies issued by MLAC.

11. CONFIDENTIAL INFORMATION

Centre Executive and General Committee members may, while undertaking activities for MLAC receive or originate confidential information. Such information must be retained within MLAC and secured appropriately.

Centre Executive and General Committee members must not divulge to any source confidential member information or MLAC information that is available to them in the performance of their duties.

Such information must not be used for the benefit of a Centre Executive or General Committee member or for the benefit of others.

12. UNAUTHORISED STATEMENTS

Centre Executive and General Committee members must not, without authority of the Centre Executive, directly or indirectly state that they represent MLAC or its public position in respect of any matter.

Centre Executive and General Committee members must not directly or indirectly engage in any activity, which could by association cause public embarrassment or damage to MLAC.

With this in mind, as Centre Executive and General Committee members may receive items of correspondence from members or other parties in their capacity, it is important that any responses are consistent with MLAC policies and operations and do not provide opportunity for potential conflicts.

13. COPYRIGHT

Any work as defined by *Copyright Act 1968* (as amended) including the computer programs created by Centre Executive and General Committee members of MLAC while undertaking activities for MLAC shall be property of MLAC.

Such work shall not be published or used for any purpose without the written consent of MLAC.

14. DEALING WITH AUDITORS

Centre Executive and General Committee members must fully co-operate with internal and external auditors. False or misleading statements must not be made to internal or external auditors and relevant information must not be concealed from the internal or external auditors.

15. CONFLICT OF INTEREST

Centre Executive and General Committee members are not to use their position for personal benefit or to benefit any other business or person.

Centre Executive and General Committee members must not engage directly or indirectly in any outside activity involving commercial contact with, or work for the benefit of, any MLAC vendors without the prior written approval of the Executive Committee.

Centre Executive and General Committee members must declare actual, potential or perceived conflicts of interest, which may exist or might reasonably be thought to exist for evaluation by the Centre Executive.

During a meeting of the Centre Executive, whilst such a conflict exists or may exist the Centre Executive and General Committee member must leave the room while any issue relating to that conflict is discussed unless the Centre Executive and General Committee member has taken steps to remove that conflict.

16. WORKING WITH CHILDREN CHECK

The Centre Executive has adopted and enforces the LAVic Working with Children Check (“WWC Check”) Policy & Procedures.

The LAVic WWC Check Policy & Procedures can be accessed [here](#)

The WWC Check applies to adults who have direct contact (oral, written or electronic communication as well as face-to-face and physical contact) involving children under 18 years of age. This covers all areas of administration, officiating, coaching and supervision at camps and clinics.

The following MLAC persons’ are required to obtain a WWC Check.

- Centre Executive and General Committee members.
- Coaches.
- Officials at State and Region events (excluding parent helpers with children participating on the day).
- Team Managers.
- Volunteers without children registered at MLAC.
- First Aid Personnel.

Parents, guardians and family members of children volunteering at MLAC events in which the child participates, or normally participates, are exempt from obtaining a WWC Check.

POLICY ADMINISTRATION

Approval Body	Centre Executive
Policy Owner	Centre Executive
Effective Date	13/07/2016
Date of Last Review	06/09/2017
Next Scheduled Review	July 2018
Related Policies	Nil
Supporting Procedure or Guidelines	<p>MLAC Constitution</p> <p>MLAC Handbook</p> <p>Little Athletics Victoria Constitution</p> <p>Little Athletics Victoria Code of Conduct</p> <p>Victorian Code of Conduct for Community Sport</p> <p>Australian Sports Commission Governance Reform in Sport (June 2016)</p> <p><i>Working with Children Act 2005</i></p>

