
HOBSONS BAY COMMUNITY FUND

Governance Charter

Contents

1. Legal status, Terms of reference, Mission and Vision
2. Responsibilities of HBCF committee members and code of conduct
3. Confidentiality
4. Transparency
5. Privacy
6. Committee composition, succession, renewal and meetings
7. Changing the Governance Charter
8. Wind up

1. Legal Status, Terms of Reference, Mission and Vision

The Hobsons Bay Community Fund (HBCF) is a sub-fund of the Australian Communities Foundation (ACF) and is not a legal entity in its own right. It cannot sue or be sued. The HBCF Committee is an advisory committee to the ACF. As such it has no formal legal status and operates under its own terms of reference and charter to advance the wellbeing of the Hobsons Bay community as outlined in its Mission and Vision and to make requests to the trustee of the ACF in relation to the allocation of grants.

2. Responsibilities of HBCF Committee members and Code of Conduct

In accepting an invitation to join the HBCF Committee a member takes on a responsibility to attend meetings, participate fully in the work of HBCF and to work as part of a collaborative team to fulfill the Mission and Vision of HBCF. All members of the committee will promote the work of HBCF and its purpose and help others to understand the benefits of a perpetual fund serving their community. Each member also accepts personal responsibility for upholding the integrity of HBCF, acting ethically at all times, gaining no personal advantage from the position and not doing anything that might bring HBCF into disrepute. Committee members are expected to act honestly, reasonably and in accordance with the Governance Charter at all times.

Individual committee members should not express personal opinions in relation to the intentions of HBCF, or represent HBCF, except in relation to agreed decisions of the committee. Acting outside the Governance Charter may expose individual committee members to legal risk.

3. Confidentiality

All matters brought to the committee for discussion and decision shall be deemed to be confidential until the committee decides otherwise or until minutes of meetings are released. This is especially important in relation to confidential donations, bequests and the consideration of grants.

4. Transparency

The committee shall make public its:

- Mission
- Vision
- Role and terms of reference
- Governance Charter
- Procedures for receiving and managing donations
- Procedures for advertising grants, receiving submissions and making decisions in relation to its requests for grants made by the trustee.

As far as is reasonable, the committee should keep the community and sponsors informed of its progress, plans and decisions and should publish an annual report and provide the opportunity for community input into its work.

HBCF should maintain up-to-date information on a website that in the first instance will be hosted through the Hobsons Bay City Council website.

5. Privacy

HBCF will take care to protect and respect the privacy of its donors, supporters and recipients of grants and will only collect information by lawful and appropriate means. With the approval of ACF agreements will be signed with donors and grant recipients in relation to the release of information and the use of information about them for promotional purposes.

Personal information will only be used for the purpose of undertaking the work of HBCF and will not be disclosed to third parties for unrelated purposes. In practice this will mean that information may be given to printers or postal services where they provide services directly related to the work of HBCF, but information will not be given to promoters of other causes, or the providers of other products and services such as financial services.

The committee will be open and transparent in its dealings with people and declare what personal information is being held, how it is collected, how it is stored and how it will be used. Individuals will have the opportunity to correct or complete information at any time.

The committee will at all times operate within the spirit and letter of the law and be guided by its own charter and ethical guidelines.

6. Committee Composition, Succession, Renewal and Meetings

The committee may have up to twelve members and not less than five. A quorum for meetings shall be four. The chair shall have a casting vote and meetings shall be conducted in accordance with standard meeting procedures. The committee shall meet not less than three times a year. As far as is practical sufficient time will be allowed for discussion and for decisions to be reached by consensus.

The members of the committee may include up to two Councillors nominated by Hobsons Bay City Council and a cross-section of other groups, such as, people from small business, local large employers, ethnic minority groups, education, different professions, service providers and young people. The composition of the committee

should also take into account people's connection with the local community and the mix of skills and experience, respecting the demographics of the Hobsons Bay community.

The committee should endeavour to turn over at least one third of its membership every three years with no committee member serving more than three, three year terms.

Appointments to the committee shall be made by a Nominations and Review Committee made up of the chair of HBCF, one person nominated by Council, one nominated by the HBCF committee and one person nominated by ACF, who shall be the chair of the Nominations and Review Committee, but have no casting vote.

The Nominations and Review Committee shall be responsible for ensuring that the committee remains a diverse group with the appropriate mix of skills and experience and that there is an ongoing process of renewal that enables HBCF to continue to grow and progress. The Nominations and Review Committee may seek nominations for the HBCF Committee from organisations or in any other manner it sees fit.

Although the terms of committee members are not fixed and may vary, as a rule committee members will be appointed for three years with the option to be reappointed. Members retiring from the committee ahead of their allotted term are required, as far as possible, to give notice. There is no requirement to fill all vacancies, short or long term, providing the intent of the Governance Charter is being met.

The trustee will be advised of any changes to the HBCF Committee and in particular the person authorised to write on behalf of the HBCF requesting grants.

The committee will review its progress, composition and practice annually. The review will be undertaken by the Nominations and Review Committee in conjunction with the committee. The review will include a review of the HBCF against its charter and its stated objectives, as well as a review of the attendance and performance of individual committee members, conducted as both a self assessment and peer review process.

7. Changing the Governance Charter

The committee has the power to change the Governance Charter at any time, but must follow a process to ensure that such changes are transparent and considered by a broad cross section of the community to be in the best interests of HBCF and the community it serves.

All changes and the rationale behind them shall be written down and made readily available. At the discretion of the committee a public meeting will be advertised, promoted and held, giving at least twenty-eight days notice.

Changes to the Governance Charter will require the support of a majority of those attending the public meeting and a majority of committee members at its following meeting. There will be no provision for proxy votes at either meeting. ACF and the community will be advised of the changes made to the Governance Charter.

8. Wind Up

In the event that the HBCF Committee does not continue or wishes to wind up, the operation of the sub-fund and the allocation of grants from it will continue at the discretion of the committee of Australian Communities Foundation trustee, but as far as possible for the continuing benefit of the Hobsons Bay community. All funds will remain safe under the Trustee and grants will only be made in accordance with the law and for charitable purposes by ACF

Updated on 10 April 2013