



**NATIONAL CONGRESS**  
OF AUSTRALIA'S FIRST PEOPLES

## ETHICS COUNCIL CHARTER

The six (6) member Ethics Council (“the Council”) is an **advisory** body to the National Congress of Australia’s First Peoples Pty Ltd (the Congress), its National Board and CEO on matters of best ethical practice, integrity and transparency. It will monitor, review and advise the Board on the conduct of elections and other matters.

### RESPONSIBILITIES

The functions of the Council as set out in Section 17 of the Congress *Constitution* include:

**1. Advise the Board on membership and officers**

- Advise the Board re: membership of the Ethics Council;
- Review nominations and applications for Delegates to Chambers 1, 2 & 3, Directors of all Chambers, and Co-Chairs of the National Board to ensure they are suitable to hold office in line with Congress policy;
- Formulate regulations for categories of membership;
- Review the terms of any Chamber Delegates;
- Review procedures for eligibility policies and regulations for the election of the Chamber Directors; and
- Advise the Board on the expulsion of a member from the company or a Delegate from a position as Delegate of a Chamber.

**2. Mediation**

- Act as a mediator if requested under Congress grievance procedures.

**3. Ensure the ethical operations of the Congress**

- Recommend policies and procedures to ensure the company, National Board and the Congress maintain the highest ethical standards;
- Assist the company in adhering to its purposes and values;
- Investigate any potential breaches of ethical standards or the company’s values;
- Review any changes to the Congress *Constitution* and provide advice to the National Board; and
- any other matters as requested.

## CONDUCT

- Public Comment - All public comment on behalf of the Ethics Council shall be made by the Co-Chairs. Any other public comment made by an Ethics Council Co-Chair and Councillors must be done so as a private citizen and not on behalf of the Ethics Council or the Congress. From time to time, there may be a need for Ethics Co-Chairs to make decisions on behalf of the Council;
- All Councillors will undergo Australian Federal Police Checks;
- Standards of appropriate Conduct for Councillors are set out in the *Ethics Council Code of Conduct*;
- The Ethics Council will include Aboriginal and Torres Strait Islander peoples who are widely recognised for their high integrity;
- The 'Nolan Principles' will set the ethical framework for all of the Congress, including the Council (see attached);
- Independence - While acting as councillor on the Ethics Council, a Councillor must not be a member of the company or a Chamber representative. If Councillors are Congress members upon their appointment, they will suspend their membership for the duration of their term on Council;
- Disclosure of Interests by Councillors - Councillors will need to follow agreed disclosure provisions. At the commencement of each meeting the Co-Chairs will invite Councillors to declare whether there are any matters in the agenda that have a "direct or indirect personal or pecuniary interest" which will be recorded on the *Register of Interests*;
- Confidentiality- Ethics Council Councillors must not access, use, disclose or release any internal Congress documents or privileged information unless there is a need to do so in the course of Ethics Council business and the member has been authorised to do so. Ethics Council Councillors must protect the privacy of member information as required by The Congress *Privacy Policy*.

# **Nolan Principles on Public Life**

**(as adapted for the National Congress of Australia's First Peoples)**

These principles relate to all aspects of public life and apply to all who are employed by the Congress. The 8th principle was added by the Steering Committee for the creation of a new National Representative Body.

## **Selflessness**

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefit for themselves, their family, or their friends.

## **Integrity**

Holders of public office should not try to place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

## **Objectivity**

In carrying out public business, including making appointments, awarding contracts or recommending individuals for rewards or benefits, holders of public office should make choices on merit.

## **Accountability**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

## **Openness**

Holders of public office should be as open as possible about all the decisions and actions that they take. The holders of public office should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

## **Honesty**

Holders of public office have a duty to declare any private interests relating to their public duties and take steps to resolve any conflicts arising in a way that protects the public interest.

## **Leadership**

Holders of public office should promote and support these principles by leadership and example.

## **Behaviour**

Holders of public office must exhibit at all times the exemplary levels of personal and corporate behaviour.