



Board Recruitment and Composition Policy

Policy Number: G-04-2020

Version: 3

Responsible Person: BoG Chair

Approved by BoG on: 27-02-2023.

Review date: Currently under review

NQS Quality Area 7

Introduction

The nomination and selection of Hampton Park Care Group Inc. (Hampton Park Community House) Board of Governance (Board) members is the prerogative of the members of the Association through the election process. However, given the responsibilities of the BoG, there is a need for the Board to have an appropriate mix of expertise and experience. Policies and procedures must facilitate the election of those people who best meet the needs of the Board.

Purpose

The HPCH Board members should provide an appropriate mix of skills to provide the necessary breadth and depth of knowledge and experience to meet the Board's responsibilities and objectives. The Board also aims for a composition which will appropriately represent the interests of the various groups contained within HPCH's common bond and which will include a diversity of Australia's peoples. This policy outlines the duties, roles and responsibilities of the Board of Governance (Approved Provider) of Hampton Park Community House in regard to Board Recruitment and Composition Policy.

Policy Statement

The Board should attempt, using its network of contacts within and without the organisation's membership, to identify appropriate individuals with needed skills and interests as potential Board members. When vacancies arise among the elected Board positions, such individuals should be encouraged to nominate for election. Such individuals may also be appointed by the Board, where the Constitution provides, to vacant Board positions.

HPCH echoes these values in its Governance and Management practices, as set out in this policy. Hampton Park Community House is committed to ensuring there are appropriate systems and processes in place to enable:

- good governance and management of HPCH;
- accountability to its stakeholders (such as Association members, families and the Hampton Park community);
- compliance with all regulatory and legislative requirements placed on HPCH (such as notifications, reporting and confidentiality); and





This policy applies to the HPCH Board of Governance, the Executive Committee and delegated Approved Provider, Person with Management and Control (EO) and Director of the Childcare and Education, Family Support and Community Services.

A key, overarching objective of HPCH is to embed an organisational culture of safety, diversity, inclusion and equity through its policies and procedures, as well as our practices and interactions community members including children.

HPCH recognises the importance of leadership in fostering a child safe environment. (ref. Child safe Standards)

Scope

This policy applies to the approved provider, the Committee of Management/Board of Hampton Park Community House and all subcommittees of the Committee of Management/Board.

LEGAL LIABILITIES OF MEMBERS OF THE BOARD OF GOVERNANCE

The BoG/Board at Hampton Park Community House is responsible under the Rules of Association- Constitution to take all reasonable steps to ensure that the laws and regulations relating to the operation of HPCH are observed. Members of the BoG are responsible for ensuring that:

- adequate policies and procedures are in place to comply with the legislative and regulatory requirements placed on HPCH.
- appropriate systems are in place to monitor compliance.
- reasonable care and skill is exercised in fulfilling their roles as part of the governing body of HPCH
- they act honestly, and with due care and diligence.
- they do not use information they have access to, by virtue of being on the Board improperly.
- they do not use their position on the Board for personal gain or put individual interests ahead of responsibilities.

Background and Legislation

Background

The Board of Governance (Approved provider) must ensure that there are effective systems, procedures and processes in place to support HPCH to operate effectively and ethically, and all legal and regulatory requirements governing the operation of the business are met.

As a Registered charity Hampton Park Care Group Inc. (HPCH) must meet the ACNC's Governance Standards to be registered and remain registered with the ACNC. Members of the Board of Governance are responsible for setting the directions for HPCH and ensuring its goals and objectives are met in line with its constitution, and all legal and regulatory requirements governing the operation of the business are met. Under the National Law and National Regulations, HPCH is required to have





policies and procedures in place relating to the governance and management of its Services, including confidentiality of records (refer to Privacy and Confidentiality Policy).

It is important that the HPCH board reflects the diversity of the Hampton Park community. Diversity of skills and expertise, and the perspectives and lived experiences of people from different backgrounds, contribute to good governance and help ensure that HPCH is making decisions in the interests of the Hampton Park community. Supporting diversity on the Board is important because the decisions made by the Board may have different impacts on different people and may affect some cohorts more than others. This policy provides general advice to support diversity on the HPCH Board, including advice tailored to specific cohorts that experience barriers to participation.

Barriers to participation on the HPCH board may be linked to inequalities relating to Aboriginality, race, religion, ethnicity, neurodiversity, disability, age, gender (including non-binary), sexual orientation and more.

Collectively, these cohorts represent most Victorians. For example:

- around 20 per cent of Victorians identify as a person with disability
- over half of Victoria's population are women
- young people aged 12-25 make up approximately 18 per cent of the Victorian population
- nearly 50 per cent of Victorians were born overseas or had at least one parent born overseas, and 26 per cent of households speak a language other than English at home

The Board considers diversity from an intersectional perspective, noting that individuals may be part of more than one of the key cohorts listed in this document. Intersectionality recognises that individuals may experience multiple forms of prejudice and discrimination at the same time, which can lead to heightened and unique disadvantage.

Legislation

- **Age Discrimination Act 2004:** Federal legislation prohibiting age discrimination and promoting equality regardless of age, ensuring fair treatment for individuals of all age groups.
- **Associations Incorporation Reform Act 2012 (Vic):** Regulates the operations of associations, including not-for-profit organizations like HPCH, outlining their structure, governance, and compliance requirements.
- **Charter of Human Rights and Responsibilities Act 2006 (Vic):** A Victorian law outlining the rights, freedoms, and responsibilities of individuals, promoting human rights within the state.
- **Child Safe Standards (Vic):** State-specific standards outlining the obligations of organizations to create and maintain child-safe environments, ensuring the safety and welfare of children in all settings.
- **Children, Youth and Families Act 2005 (Vic):** Legislation concerning the protection and wellbeing of children and young people, outlining the responsibilities of organizations like HPCH in ensuring child safety and welfare.
- **Disability Act 2006 (Vic):** Addresses the rights and needs of individuals with disabilities, promoting inclusion and accessibility in various aspects of life, including services provided by organizations.





- **Disability Discrimination Act 1992 (Cth):** Federal legislation prohibiting discrimination based on disability and ensuring equal rights and opportunities for individuals with disabilities.
- **Education and Care Services National Law Act 2010:** A federal law governing the operation of childcare and education services, setting standards for quality, safety, and governance.
- **Education and Care Services National Regulations 2011:** Complements the National Law Act, providing detailed regulations on various aspects of childcare and education service operations.
- **Equal Opportunity Act 2010 (Vic):** Promotes equal opportunity and prohibits discrimination based on various attributes, including race, gender, sexual orientation, and disability.
- **National Quality Standard, Quality Area 7: Governance and Leadership:** A part of the National Quality Framework, setting standards for governance and leadership in childcare and education services across Australia.
- **National Quality Standards Quality Areas 1-7:** Part of the National Quality Framework, setting standards across seven quality areas for childcare and education services, including governance, health and safety, and educational programs.
- **Occupational Health and Safety Act 2004:** Ensures the health, safety, and welfare of employees and others in the workplace, outlining responsibilities for organizations to provide a safe working environment.
- **Privacy Act 1988 (Cth):** Federal legislation governing the handling of personal information by organizations, ensuring the privacy and security of individuals' data.
- **Privacy and Data Protection Act 2014 (Vic):** Addresses privacy and data protection, outlining the obligations of organizations in handling personal and sensitive information of individuals.
- **Racial and Religious Tolerance Act 2001 (Vic):** Promotes tolerance and understanding between different racial and religious groups, prohibiting discrimination and vilification based on race or religion.
- **Racial Discrimination Act 1975 (Cth):** Federal legislation prohibiting racial discrimination and promoting equality regardless of race, color, descent, or national or ethnic origin.
- **Sex Discrimination Act 1984 (Cth):** Federal legislation prohibiting discrimination based on sex, gender identity, marital or relationship status, ensuring equal opportunities for all individuals.

The most current amendments to listed legislation can be found at:

Victorian Legislation – Victorian Law Today: www.legislation.vic.gov.au

Commonwealth Legislation – Federal Register of Legislation: www.legislation.gov.au

Definitions



Your place



The terms defined in this section relate specifically to this policy.

ACNC's Governance Standards: Standards set by the Australian Charities and Not-for-profits Commission (ACNC) that registered charities, including Hampton Park Care Group Inc., must adhere to. These standards cover areas such as governance, accountability, and transparency, ensuring organizations operate in the best interests of the public.

Barriers to Participation: Factors or obstacles that prevent individuals from diverse backgrounds, such as Aboriginal people, people with disabilities, LGBTQ+ individuals, or those from culturally diverse communities, from actively participating in the Board or organization's activities. Identifying and mitigating these barriers is a priority for fostering inclusivity.

Child Safe Standards: Refers to a set of standards designed to ensure the safety and well-being of children within organizations. Leadership fostering a child-safe environment is a key objective, emphasizing the need for policies and practices that protect children from harm.

Culture: The values and traditions of groups of people that are passed from one generation to another.

Culturally and linguistically diverse (CALD): Refers to individuals and groups who are from diverse racial, religious, linguistic and/or ethnic backgrounds.

Committees of the Board: Subgroups within the Association responsible for specific areas of governance and decision-making. This policy extends to all committees under the Board, ensuring consistency in diversity and inclusion efforts across all levels of the organization.

Disability: In relation to a person, refers to:

- a sensory, physical or neurological impairment or acquired brain injury, or any combination thereof, that:
- is, or is likely to be, permanent, and
 - i. causes a substantially reduced capacity in at least one of the areas of self-care, self-management, mobility or communication, and
 - ii. requires significant ongoing or long-term episodic support, and
- is not related to ageing, or
- an intellectual disability, or
- a developmental delay (Disability Act 2006 (Vic)).

Diversity: Refers to the range of human differences, including but not limited to, race, ethnicity, gender, sexual orientation, age, socio-economic status, physical abilities, religious beliefs, political beliefs, and other ideologies. Embracing diversity ensures varied perspectives and experiences contribute to decision-making processes.

Ethical Practice: A standard of behaviour that HPCH deems acceptable in providing their services, aligning with moral and professional principles.



Your place



Equity: The guarantee of fair treatment, access, opportunity, and advancement for all members of HPCH, regardless of their background. Equity seeks to identify and eliminate disparities in representation, resources, and outcomes among diverse groups.

Fit and Proper Person: A regulatory assessment to determine if an approved provider or a person with management or control of a service is suitable to be involved in the provision of an education and care service. Criteria considered include compliance history, criminal record, financial stability, medical condition, and management capability.

Governance: The process by which organizations are directed, controlled, and held to account. It encompasses authority, accountability, stewardship, leadership, directions, and control exercised in the organization.

Inclusion: The practice of creating an environment where people of all backgrounds, identities, and abilities feel valued and respected. Inclusive practices promote equal opportunities, participation, and representation within HPCH.

Intersectionality: A concept that recognizes individuals may experience multiple forms of discrimination or advantage simultaneously due to their overlapping social identities, such as race, gender, sexuality, disability, and other factors. Intersectionality emphasizes understanding these complex interactions and addressing unique challenges faced by individuals with intersecting identities.

Management System: A system designed to manage organizational risks and enable the effective management and operation of a quality service.

National Law and National Regulations: Refers to the national laws and regulations governing the operation of childcare and education, family, and community services in Australia. Hampton Park Care Group Inc. is required to adhere to these laws, including having appropriate policies and procedures in place.

Neurodiversity: is a word used to describe the different thinking styles that affect how people communicate with the world around them. It is an umbrella term - a word that sums up lots of different things. It includes conditions like autism, ADHD, dyslexia, dyspraxia, dyscalculia and tourette's.

Service Philosophy: A statement developed by the approved provider outlining the purpose and principles under which HPCH operates. It underpins decisions, policies, daily practices, guides educators' pedagogy, planning, and practice when delivering the educational program.

Sources and Related Policies

Sources

ACECQA – Occasional Paper 5: Quality Area 7: Leadership and management in education and care services
[acecqa.gov.au/media/25871](https://www.acecqa.gov.au/media/25871)

ACECQA – Quality Area 7 resources <https://www.acecqa.gov.au/nqf/national-quality-standard/quality-area-7-governance-and-leadership>



Your place



[Best-practice... | Institute of Community Directors Australia \(ICDA\)](#)

Justice Connect: <http://www.justiceconnect.org.au/>

Our Community: www.ourcommunity.com.au

[Board Skills and Diversity Matrix](#)

VPS [Inclusive Language Guide](#) to using language that is inclusive of LGBTIQ+ people

Easy English and plain language documents <https://www.scopeaust.org.au/service/accessible-information/>

[Designing for Diversity](#)

[Diversity-on-Victorian-Government-Board-Guidelines_0.pdf \(content.vic.gov.au\)](#)

Related Policies

- Code of Conduct
- Compliments and Complaints
- Governance and Management
- Privacy and Confidentiality
- Risk Management
- Acceptance and Refusal of Authorisations
- Inclusion and Equity

Evaluation

To assess whether the values and purposes of the policy have been achieved, the approved provider will:

- regularly seek feedback from everyone affected by the policy regarding its effectiveness
- monitor the implementation, compliance, complaints and incidents in relation to this policy
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of HPCH's policy review cycle, or as required
- notifying all stakeholders affected by this policy at least 14 days before making any significant changes to this policy or its procedures, unless a lesser period is necessary due to risk (*Regulation 172 (2)*).



Your place



Attachments

Attachment 1: Diversity and inclusion HPCH Board recruitment and selection process

Authorisations:

Signature BoG Chair:

A handwritten signature in black ink, appearing to read "R. Kelly", is placed over a light grey rectangular background.

Date: 27-02-2024.



hamptonparkch.vic.edu.au



ATTACHMENT 1. Diversity and inclusion HPCH Board recruitment and selection process

The nomination and selection of Hampton Park Care Group Inc. (Hampton Park Community House) Board of Governance (Board) members is the prerogative of the members of the Association through the election process. Refer hampton-park-care-group-inc-rules-of-association-v-2023-wfkgbxmoigve.pdf (hamptonparkch.vic.edu.au)

This checklist provides guidance on how diversity and inclusion must be considered at each stage of a Board member recruitment and Board selection process. Diversity includes, but is not limited to, age, gender (including non-binary), location, Aboriginality, ethnicity, socioeconomic status, sexual orientation, neurodiversity and disability status.

Planning an Inclusive Recruitment Process for a Not-for-Profit Volunteer Community Owned and Managed Board:

1. Incorporating Guidance:

- Integrate the guidance provided in this document into your recruitment and selection process.
- Undertake consultation on diversity before advertising board positions, engaging stakeholders and community members early in the recruitment process.

2. Identifying Specific Requirements:

- Identify a diverse range of personal qualities, knowledge, skills, and experiences necessary for effective board management, considering both current and future needs.
- Include diversity and lived experience as integral components of HPCH board skills matrix (refer to Appendix I) to assess and enhance existing board composition.
- Recognise and embrace intersectionality, acknowledging that individuals may belong to multiple key cohorts.

3. Consulting on Diversity:

Conduct consultations as required for the following cohorts:

- Women
- cultural and linguistically diverse people
- young people i.e., *Cultivate*.
- LGBTIQ+ people, people with disability i.e. *Gippsland Pride Initiative*
- Neurodiversity i.e. *Rethink Dyslexia*
- First nations people: *The City of Casey lies within the boundary of the Mayone Bulluk Bunurong/Boonwurrung*

4. Developing Position Description and Recruitment Materials:

- Use plain English and inclusive language in the position description and advertisements.





- Focus on essential requirements of the role, avoiding non-essential ‘nice-to-haves.’ Include relevant lived and professional experiences.
- Provide clear contact information in the position description.
- Highlight HPCH’s commitment to diversity, inclusion, and existing diversity support policies. For example:

HPCH is committed to ensuring that its board and committees reflect the rich diversity of the Hampton Park community. We encourage applications from people of all ages, Aboriginal people, people with disability, neurodiverse individuals, people from culturally and linguistically diverse backgrounds and from lesbian, gay, bisexual, trans, gender diverse, intersex and queer people. We will provide adjustments to the recruitment process upon request.

This is particularly important for cohorts that have previously experienced barriers to inclusion in some environments and is best reinforced with practical actions to demonstrate that a diverse range of people are welcome at Hampton Park Community House. For example, *HPCH*:

- *reflects the Victorian Government’s Women on Boards commitment.*
 - *ensures the HPCH board has 50 per cent women representation.*
 - *is actively strengthening reconciliation and self-determination for Aboriginal people and are at the consulting stage of developing the HPCH Reconciliation Action Plan*
- Utilise application documents to collect diversity information and facilitate support for diverse candidates.
 - Ensure all recruitment materials are accessible in Word format and provide alternative formats if necessary.

5. Advertising the Position:

- Plan a diverse approach for promoting the role, utilising formal and informal channels, including local community organisations and recommendations.
- Use a wide range of channels, including internet job sites, social media and community-specific notices.

6. Shortlisting Candidates:

- Consider the diversity ratio among applicants when shortlisting candidates.
- Be mindful of biases and barriers to participation, ensuring a fair assessment.

7. Conducting Interviews:

- Assemble a diverse selection panel, considering gender, ethnicity, and other characteristics. Include an independent person preferably from another sector.
- Use alternative interview formats in addition to formal interviews.
- Inquire about candidates’ access requirements and provide necessary support for fair participation.



Your place



- Inform applicants about potential remuneration and reimbursements for expenses, reducing barriers to participation.
- Encourage panel members and interviewees to share their preferred pronouns to foster an inclusive atmosphere.

