



**Standards and
Best Practice for
Good Governance in
New and Emerging
Community-Based
Organisations**

September 2022

**NSW
Settlement
Partnership**

SSI 
settlementservices
international

The NSW Settlement Partnership (NSP) is a consortium of 20 community-based organisations delivering services in agreed areas of NSW under the Department of Home Affairs' Settlement Engagement and Transition Support (SETS) program. Led by Settlement Services International (SSI), the NSP includes Migrant Resource Centres, multicultural services, neighbourhood centres and ethno-specific organisations.

The NSP represents a unique and innovative service model that provides an opportunity for organisations with a long and proud history of delivering services to newcomers, to work collaboratively to address the aims and objectives of SETS. For example, under the SETS Community Capacity Building stream, we use our grassroots experience to support diaspora communities, including new and emerging communities with limited capacity to self-organise, to participate equitably in Australian society. One way to do this is to support good governance.

Good governance means having policies and practices in place to guide an organisation and ensure that it is achieving its purpose and being run effectively.

This document outlines the key standards developed by the NSP for good governance and best practices that demonstrate each standard in action. These standards can apply to the community as well as to settlement providers in their engagement with community groups or associations and are supplemented by practical examples and case studies.

Disclaimer: This is a guiding document to intended to empower new and emerging communities and associations, it is not legally binding. Any association's activities should be in accordance with Australian law. The NSW Settlement Partnership is not legally responsible for the advice provided herein.

Settlement Services International and its subsidiaries (SSI Group) acknowledge the Traditional Custodians of the Land. We pay respect to Elders past, present and emerging and the continuation of cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander peoples.

Ancestors have walked this country, and we acknowledge their special and unique place in our nation's historical, cultural and linguistic identity.

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Standard 1

Clarity of Purpose and Mission

1.

Associations should have a clear purpose and mission in support of the community they are representing and ensure that the mission complies with relevant domestic laws

- The association should have a clear purpose and develop a written constitution outlining its aims and rules for how it will operate, which can be easily referred to.
- Members should identify a set of values and a vision and mission to guide the association's activities. If the original vision or mission changes, the constitution should be updated to remain in compliance with Australian laws.
- Sometimes volunteers might engage in development work or politics in their countries of origin, or the association wants to operate an international program while being registered with NSW Fair Trading. However, the association must not engage in overseas political activities that conflict with Australian laws.

The Cambodian-Australian Welfare Council of NSW (CAWC), originally known as Khmer Interagency (KI), was established in 1983 as a forum for sharing information and supporting those who work with Khmer clients or who are interested in Khmer issues. The group met monthly to liaise, share information, discuss problems and lobby for better services for Khmer settlers. KI became registered as a charitable organisation and adopted a more formal structure, through the election of a Committee/Board. Members elected a Chairperson, Vice-Chairperson, Treasurer, Secretary and three Committee Members.

Over the years, the community needs have grown, prompting the Board to look into different sources of funding besides the usual brokerage and grants from Clubs NSW, local councils, state government and federal government. The Board decided to apply for Deductible Gift Recipient (DGR) status so CAWC can receive funding from philanthropic grant-makers. However, it has to amend its constitution to include certain provisions that would make it eligible by the Australian Tax Office (ATO). Due to CAWC's limited legal expertise in writing such clauses and provisions, it sought assistance from Justice Connect, a community legal service and network of pro bono lawyers. After several discussions between CAWC and the lawyer, the provisions were drafted, reviewed by the Board and included in CAWC's constitution with unanimous approval and endorsement by the members. At the end of this process, a copy of the constitution was sent to the NSW Office of Fair Trading.

CAWC's next step is to apply for the DGR status, which it hopes to do by the end of 2022. To further strengthen its case, it is now an approved WDO provider. It also partnered with a food bank and became a member of Good360.

2.

Committees should be accountable and transparent to their members and manage the association in accordance with their constitution

- The community being represented should be consulted about the purpose and activities of the association and the management committee – consultation, representation and transparency without regard for community politics and divisions are vital to the good governance of an association. At the same time, community politics and differences should be recognised, respected and sensitively managed.
- Accountability is not only to committee members but can also be to NSW Fair Trading. Associations should be supported to embed compliance and ethical and responsible decision-making within their associations and develop strong systems that enable ethical management and practices in relation to finances and record keeping.
- Communities should be supported to structure their management committees in a way that adds value and enables good practice for accountability, for example by including members with appropriate skills and expertise to support ethical management and fulfilment of legal duties.

Nepean Multicultural Access (NMA) is committed to building the capacity of all the CALD communities it works with, particularly those in the SETS target group. Recently, NMA has been supporting Afghan community members in the Blue Mountains LGA to form their own association. Being aware of the sensitive intra-community dynamics that exist within the Afghan diaspora, it was important to model and encourage transparency and accountability from community leaders as well as enable them to learn from others across the country about how to govern and manage the association well.

NMA was approached by recognised Afghan community leaders in August 2021 to establish online meetings and provide guidance on how to better support Afghan refugees arriving in Sydney after the Taliban takeover. Local residents were aware of organisations in other states and asked NMA to connect them. NMA established contact with the interstate leaders, who were ready to share their skills and knowledge with the emerging community in Sydney. Three online meetings covering group structure options, developing a constitution and basic policies, and incorporation and insurance obligations were held.

The group was also assisted to develop Terms of Reference (TORs), enabling the interstate leaders to provide guidance and mentoring to ensure they were adding value and using their skills and talents to progress the cause and purpose of the association and the community.

The links established between leaders in different states across the country have led to discussions about establishing a National Afghan Association.

Standard 3

Partnership and Equitable Sharing of Resources

3.

Engagement and partnership between settlement providers and ethno-specific associations should be based on empowering communities and equitable sharing of resources

- Some communities are more established with a longer history of settlement in Australia, and some are semi-established or emerging. The latter will need more support than the former. When collaborating with ethno-specific organisations, settlement providers should support communities equitably as opposed to equally, and resources should be accessible and based on the specific needs of the community groups.
- Collaboration and partnership with communities means empowering ethno-specific community groups or associations by sharing of knowledge and resources including staff, volunteers, time and access to equipment and venues for community leaders or groups to meet.
- Ethno-specific organisations should be encouraged to undertake auspicing arrangements with established settlement providers upon initial set up, so that they can gain foundational skills and knowledge, access mentoring and training on financial management, project management and other important aspects required for them to be sustainable entities.

The Sumer Association for Culture and Arts (SACA) is a Mandaean community-run association that is based in South-West Sydney. The **Western Sydney Migrant Resource Centre (WSMRC)** has been collaborating with and supporting the Sumer Association in various ways over the years, e.g. through the Sound of Terra festival at Casula Powerhouse Arts Centre (sponsored by Multicultural NSW). During the local council elections in 2021, Western Sydney also worked with SACA on a range of civic participation initiatives.

In the run up to last year's Liverpool City Council elections, WSMRC engaged with local communities to hear their concerns and present them to mayoral candidates. Western Sydney held consultations with SACA and other key ethno-specific community groups in the Liverpool LGA. After holding these consultations, their questions were posed to the candidates, who were then given an opportunity to respond.

Through this initiative, WSMRC aimed to empower community groups such as the SACA to participate with confidence in the democratic process. Some of the issues they relayed included access to Georges River for the purpose of conducting baptisms. This was outlined in a Policy Position paper. In addition, members were encouraged to carry out in-language interviews with candidates, with WSMRC offering staff skills, knowledge and contacts to support them in doing so.

For SACA, there were two key outcomes from the civic participation initiative:

1. SACA developed their own content, which was shared widely through the Mandaean Media Network (MMN) **social media**.
2. Western Sydney MRC developed a **Policy Platform**, for which SACA and the MMN offered to translate key elements into Arabic for wider dissemination.

CORE Community Services (CORE)

recognises and appreciates the important and often voluntary work undertaken by members of the Iraqi-Australian community. In fact, CORE works closely with the Iraqi Australian University Graduate Forum (IAUGF) in Fairfield. CORE has been a key partner of choice for the IAUGF in their attempts and aspirations to represent Iraqi communities in Sydney, including newly arrived refugees and humanitarian entrants. Believing in the unity and harmony of Iraqi communities irrespective of colour or religion, IAUGF tries to facilitate their successful settlement and integration into Australian society through its various initiatives and activities relating to education, cultural diversity, social cohesion, sports, and arts.

CORE engages with and supports all levels of IAUGF's leadership and management, including its sub-committees on refugees, youth, women, human rights, cultural and social affairs, and scholars and academics. The primary objective of CORE's partnership with IAUGF is to build their capacity to plan and deliver community empowerment initiatives. To this end, CORE supported the IAUGF to organise a number of cultural and social events and celebrations such as International Women's Day and the Iraqi Cultural Arts Festival. In 2022, CORE also introduced IAUGF leaders to key stakeholders at Multicultural NSW, helping them to secure funding to host a multicultural festival during Refugee Week. This was attended by the Honourable Mark Coure MP, laying the foundation for a positive relationship between Iraqi communities and state government moving forward. In addition, CORE has organised and facilitated paid training on good governance methods, including topics like record keeping, reporting and accountability.

The IAUGF and its leadership have been recognised in several speeches by local MPs to the NSW Parliament and by Multicultural NSW for their tireless work in raising community awareness during the COVID-19 pandemic. The IAUGF was also recognised at the 2022 Zest Awards for their outstanding voluntary work and extraordinary community empowerment activities. Remarking on this incredible achievement, Dr Bushra Al-Obaidi, co-founder of IAUGF, acknowledged CORE's ongoing collaboration and sponsorship, stating: "Our success story since our establishment would not be possible without partners of choice like CORE Community Services." With CORE's ongoing commitment to capacity building and empowerment of the IAUGF, they have progressively become more independent, resourceful and viable, and continue to play an integral role in encouraging Iraqi youth to achieve academic excellence in the field of their choice.

Western Sydney MRC Civic Spotlight
at Casula Powerhouse Arts Centre



4.

Committees should reflect the diversity of their communities and have equitable gender representation, and members should be chosen for their value and skills

- When constituting the committee, members should encourage equitable representation of men, women and gender-diverse people.
- Committee membership should be reflective of the community's ethnic, linguistic, religious and sexual diversity.
- Ethno-specific associations should be supported to recruit volunteers and committee members who have the knowledge, skills and commitment to represent their communities' various interests – members should be chosen for their skills rather than relationships.

Advance Diversity Services (ADS) works with migrant and refugee settlers in St George and the Sutherland Shire, assisting helping them build their skills and capacities to participate equitably in Australian society. Since 2019, ADS has been actively working on LGBTIQ+ inclusion with the understanding that migrants, refugees, asylum seekers and stateless and internally displaced persons who identify with a diverse gender and/or sexuality face doubly complex challenges, including but not limited to discrimination, violence, difficulty in accessing basic social and economic rights, and barriers to articulating their protection needs.

This work is demonstrative of ADS's careful consideration of the importance of representation and recognising people for their skills and talents. Rather than simply checking a box, it leads by example and strives for meaningful inclusion and genuine equality in its own organisation as well as in the advocacy it does on LGBTIQ+ issues and visibility. In this way, ADS hopes that ethno-specific communities and other associations it engages with will be encouraged by its inclusive practice and approach, e.g. when constituting their committees. Some of the LGBTIQ+ initiatives that ADS has led or participated in include:

- The "Champions" program to support LGBTIQ+ staff and client-based service delivery. At the moment there are three ADS Champions. In addition, the "Be You With Us" campaign is incorporated on the ADS website, service flyers, email signatures and social media pages.
- Inclusive practice training and workshops for working with people with diverse genders, sexualities and bodies from refugee and asylum seeker backgrounds – ADS also worked with SSI and ACON to provide LGBTIQ+ inclusive practice training to partner organisations in the NSW Settlement Partnership.

- ADS is a member of ACON's **Pride in Health + Wellbeing** program, through which it has updated all its intake forms, policies and procedures and had staff training to ensure its services are more inclusive of all people. ADS is also a member of the **Welcome Here Project**, which supports businesses and organisations throughout Australia to create and promote environments that are visibly welcoming and inclusive of LGBTIQ+ communities.
- ADS advocates and provides support and advice by having staff representation on committees, interagencies and working groups like the **GLISTEN** Steering Committee and LGBTI Ageing Network. ADS also leads an LGBTIQ+ Working Group for which it is seeking funding to develop into a small interagency. Members include: ACON, Bayside Council, Georges River Council, Kogarah Community Services and South Eastern Local Health District (HIV and Related Programs Unit).
- ADS launched **Pride in My Faith**, offering insights into the struggles faced by LGBTIQ+ people from multicultural backgrounds as they try to reconcile their faith, culture and queer identity, and find service providers that understand the complexity of their predicament. ADS also partnered with Queer Screen to host subsidised community screenings of Vietnamese and Cantonese films, *Goodbye Mother* and *The First Girl I Loved*, as part of Mardi Gras 2021 and 2022.
- Migrants and refugees who identify as LGBTIQ+ will find it easier to locate support thanks to an expanded Multicultural LGBTIQ+ Support Directory that ADS produced with other leading service providers across Sydney and NSW.



Advance Diversity Services

Diversity & Inclusion Champions



Mayna Hung
Multicultural Sector Support
ADS Bexley: 9567 2133
Tuesday to Thursday



Fatima Sayed
Community Services Officer
ADS Hurstville: 9597 5455
Tuesday & Wednesday



Caroline Cheung
HCP/NDIS Case Manager
ADS Rockdale : 9136 4877
Monday to Friday

Responsibilities of Diversity & Inclusion Champions

- ◆ Be a go-to person for LGBTIQ+ and cultural diversity general questions;
- ◆ Act as a liaison person to LGBTIQ+ organisations and communities;
- ◆ Support services and programs so that they are LGBTIQ+ inclusive, culturally safe and accessible;
- ◆ Assist staff to keep abreast of research and considered "best practice" in the provision of services to LGBTIQ+ people;
- ◆ Attend selected Leadership Group meetings to report on the LGBTIQ+ and cultural diversity related items;

The community's response has been extremely positive. A support worker from the St George area found the Multicultural LGBTIQ+ Support Directory "incredibly useful, comprehensive and time-efficient for referral options" while a client referred by the Thai Welfare Association said: "ADS recognised and welcomed me the way I am. There was a staff member who understood and could offer advice and assistance. I received guidance and support from [the worker]. Whenever there was an activity, [the worker] sent me an invitation to join. Most importantly, everyone accepted me. It gave me courage and confidence. Whenever I go to ADS, I am happy and always feel welcomed."

5.

Committee members must comply with Australian laws and standards

- Committee members must comply with Australian laws at both the Federal and State levels.
- Committee members have a duty to prevent financial insolvency of the association.
- Committee members must disclose conflicts of interest.

The NSW chapter of the Tibetan Community of Australia (TCA), based in Dee Why, was established in 1992. **Community Northern Beaches (CNB)** supports the Tibetan Community of Australia NSW on a regular basis with their community needs.

In 2021, the TCA-NSW elected a new president and committee members. CNB supported their election process and met with the new committee to discuss emerging issues and challenges, and how best to support the community's changing needs. For first-time committee members, limited knowledge about governance and financial procedures were a key area for development.

Through its membership in the NSP, CNB was able to provide links and resources on good governance to guide the new members, including the SETS Community of Practice series of webinars featuring Derek Lundberg from The Alternative Board Australia. These were shared with the aim of imparting skills and knowledge, as well as emphasising the importance of complying with Australian laws and standards at the state and federal level. Knowledge of the law and compliance are essential when it comes to auditing and reporting to NSW Fair Trading but are also important for proper ethical and financial management. In the last six months, several committee members have attended online workshops facilitated by the SETS Community of Practice, as recommended to them by CNB. These were:

- What is a Director?
- What is the role of a Board?
- Board Culture and Governance
- Legal for Non-Legal People: Legal Issues in Governance
- Strategy & Risk for New Directors and Managers

Members found them useful for developing their skills and the newly elected president of TCA-NSW indicated that he was keen for committee members to participate in more workshops to improve their understanding of how to manage the association and keep up to date with legal and compliance requirements so that it can continue to serve the community.

Sandra Simendic, Multicultural Services Manager, said “We have long supported the TCA in our area, including on matters of legal compliance, so they can advocate for their community’s needs and interests.

For more information and a list of helpful resources and relevant laws, please see:

ACNC, [Governance Standards](#)

Associations Forum, [Incorporating an Australian Association](#)

FECCA, 2014, [Introduction to New and Emerging Communities](#)

FECCA, 2014, [Funding and Capacity Building for New and Emerging Community Organisations](#)

Justice Connect, 2021, [Duties Guide](#)

Justice Connect, [Free legal advice for NFPs and social enterprises](#)

Justice Connect, [Free legal resources](#)

Justice Connect, 2022, [Insolvency and your organisation](#)

Justice Connect, 2022, [Managing an organisation’s rules or constitution](#)

NSW Fair Trading, [Association laws](#)



NSW Settlement Partnership:

Accessible Diversity Services Initiative Ltd
Advance Diversity Services
Cambodian Australian Council of NSW
Community Migrant Resource Centre
Community Northern Beaches
Core Community Services
Connecting Community Services
GyMEA Community & Information Service
Illawarra Multicultural Service
Lebanese Community Council of NSW
Manning Valley Neighbourhood Services
Melkite Charitable Foundation
Metro Assist
Mt Druitt Ethnic Communities Agency
Nepean Multicultural Access Inc
Northern Settlement Services Ltd
Settlement Services International
Sydney Multicultural Community Services
SydWest Multicultural Services
Western Sydney Migrant Resource Centre

For more information please visit
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