

Corporate Governance

Autism Spectrum Australia (Aspect)'s Board and management place importance on high standards for ethical behaviour, governance and accountability in Aspect's day to day operations and business. The organisation is:

- a company limited by guarantee;
- operating as a not-for-profit charity with public benevolent institution and deductible gift recipient status.

Governance Framework

The organisation is governed by Aspect's Constitution, which is approved by Aspect's Members, and the Regulations of Aspect, which are approved by the Aspect Board.

The Board's governance responsibilities are further elaborated in the Aspect Board Charter which clearly articulates the roles of the Board and Management, as well as key Board and Board committee administrative processes.

Board Directors and office bearers have a Position Profile and agree to adhere to the Aspect Board Code of Conduct. These documents provide a broad framework of ethical conduct and outline the standards of conduct and performance expected of Board Directors associated with their role with Aspect.

The Charter and Code of Conduct are approved by the Board and are based on the requirements identified in Corporations law, the ACNC Governance Standards, Aspect's Constitution, the Regulations of Aspect, as well as other best practice standards for Boards and principles agreed to by the Board in its operation. They are regularly reviewed and available to all stakeholders on the Aspect website.

Finally, Aspect provides clear communication and effective guidance to all staff in decision making, evidence-informed contemporary practice, conduct and processes by developing, reviewing and approving policies in accordance with the Aspect Policy Framework, which aligns to the relevant state and federal standards and legislation for Aspect services. Aspect policies are available in standard and Easy English on the Aspect website.

Board Structure

The Board Charter outlines the structure of the Aspect Board. The Board is supported by four committees, these being the:

- Finance, Audit & Risk Committee;
- Governance Committee;
- People, Culture & Safety Committee; and
- Education Strategy and Oversight Committee (until 2024).

Aspect Advisory Council

Integral to Aspect's governance is the Aspect Advisory Council which comprises up to nine Autistic adults. The Council provides direct advice to the Board and the Aspect Executive on Aspect's governance, strategy and risk, based on their lived experience.

Each Board committee and the Council have a Terms of Reference.

Compliance with ACNC Governance Standards

As a charity registered with the ACNC, Aspect demonstrates compliance with the ACNC Governance Standards.

Standard 1: Purposes and not-for-profit nature

The Aspect Constitution outlines Aspect's charitable purpose within its Objects (Clause 4) and defines its Non-profit status (Clause 27).

Standard 2: Accountability to members

Clauses 5.1 – 5.8 and Clause 6 of the Constitution and Clause 1 of Aspect's Regulations pertain to Aspect's Members. Aspect invites Members to nominate for the Board annually and to attend the Annual General Meeting where they can be involved in any decisions taken and receive a copy of the Annual Report. The Annual Report is also available on the Aspect website and can be sent to Members on request.

Standard 3: Compliance with Australian laws

Aspect is committed to complying with Australian laws. It does so through a comprehensive governance framework as outlined in this policy.

Standard 4: Suitability of Responsible People

The Board Code of Conduct articulates the relevant statutory bodies for which Aspect Board Directors are a "responsible person" or equivalent. Aspect has procedures in place and takes all reasonable steps to be satisfied that its Board Directors continue to meet the requirements of all relevant statutory bodies.

Standard 5: Duties of Responsible People

The standards of behaviour articulated in the Board Code of Conduct, to which Aspect Board Directors are held to account, align with the duties required by Standard 5.

Standard 6: Maintaining and enhancing public trust and confidence in the Australia not-for-profit sector

Aspect is a participating non-government institution of the [National Redress Scheme for Institutional Child Sexual Abuse Act 2018 \(Cth\) \(Redress Act\)](#) as required by Standard 6.



Governance Reporting

Aspect maintains all governance, fundraising and financial compliance related reporting as required by federal, state and territory governments' regulation of charitable organisations

External Framework

The Governance Framework policy outlines Aspect's adherence with:

- NDIS Practice Standards (2018) and NDIS Code of Conduct, specifically within the NDIS Practice Standards & Quality Indicators:
 - Core Module: 1. Rights and Responsibilities, under the relevant Outcomes.
 - Core Module: 2. Provider Governance and Operational Management, all Outcomes.
- Disability Standards for Education (2005), specifically:
 - Part 3: Making reasonable adjustments.
 - Part 7: Standards for student support services.
 - Part 8: Standards for Harassment and Victimisation.
 - Part 10: Exemptions.
- NESA Registered and Accredited Individual Non-government Schools (NSW Manual), specifically:
 - 3. Requirements for Registered Non-government Schools, under requirements for Proprietor and principal of the school; Facilities; Buildings and Premises; Safe and Supportive Environment; Management and Operation of the School; Financial Viability and Educational and Financial Reporting.
- Standards for Registration and Review of Registration of Schools in South Australia, specifically the relevant quality related criteria for:
 - Standard 1 School Governance.
 - Standard 3 Student Safety, Health and Welfare.
- ACNC Governance Standards, specifically:
 - Standard 1: Purposes and not-for-profit nature
 - Standard 2: Accountability to members
 - Standard 3: Compliance with Australian laws
 - Standard 4: Suitability of Responsible People
 - Standard 5: Duties of Responsible People



- Standard 6: Maintaining and enhancing public trust and confidence in the Australia not-for-profit sector
- Australian Human Rights Commission's National Principles for Child Safe Organisations specifically:
 - 1. Child safety and wellbeing is embedded in organisational leadership, governance and culture;
 - 2. Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.
 - 3. Families and communities are informed and involved in promoting child safety and wellbeing.
 - 4. Equity is upheld and diverse needs respected in policy and practice.
 - 5. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
 - 6. Processes to respond to complaints and concerns are child focused.
 - 7. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
 - 8. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
 - 9. Implementation of the national child safe principles is regularly reviewed and improved.
 - 10. Policies and procedures document how the organisation is safe for children and young people.

Legislation References

National

Australian Charities and Not-for-profits Commission Act 2012 (Cth)
 Australian Charities and Not-for-profits Commission Standards 2013 (Cth)
 Australian Education Act 2013 (Cth)
 Australian Education Amendment Bill 2017 (Cth)
 Corporations Act 2001 (Cth)
 Corporations Amendment (Meetings and Documents) Act 2022
 Disability Discrimination Act 1992 (Cth)
 Disability Standards for Education 2005 (Cth)
 National Construction Code 2022 (Cth)
 National Disability Insurance Scheme Act 2013 (Cth)



National Disability Insurance Scheme Amendment (Quality and Safeguards Commission and other measures) Bill 2017 (Cth)
National Disability Insurance Scheme (Worker Checks) Act 2018 (NSW)
Privacy Act 1988 (Cth)
Privacy Amendment (Enhancing privacy protection) Act 2012 (Cth)
Privacy Amendment Act (Private Sector) Act 2000 (Cth)
Regulatory Powers (Standard Provisions) Act 2014
Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019 (Cth)
Work Health and Safety Act 2011 (Cth)

New South Wales

Anti-Discrimination Act 1977 (NSW)
Child Protection (working with children) Act 2012 (NSW)
Child Protection (Working with Children) Amendment (Statutory Review) Bill 2018
Education Act 1990 (NSW)
Environmental Planning and Assessment Act 1979 (NSW)
Explosives Act 2003 (NSW)
Independent Commission against corruption Act 1988 (NSW)
Public Interest Disclosures Act 1994 (NSW)
Teacher Accreditation Act 2004 (NSW)
Work Health and Safety Act 2011 (NSW)

Victoria

Children Youth and Families Act 2005 (Vic)
Equal Opportunity Act 2010 (Vic)
Occupational Health and Safety Act 2004 (Vic)
Protected Disclosure Act 2012 (Vic)
Working with Children Act 2005 (Vic)
Workplace Safety Legislation Amendment (Workplace Manslaughter and other matters) Act 2019 (Vic)

South Australia

Child Safety (Prohibited Persons) Act 2016
Children's Protection Act 1993 (SA)
Education Act 1972 (SA)
Education and Early Childhood Services (Registration and Standards) Act 2011 (SA)
Equal Opportunity Act 1984 (SA)
Explosives Act 1936 (SA)
Family and Community Services Act 1972 (SA)
Teachers Registration and Standards Act 2004 (SA)
Whistle blowers Protection Act 1993 (SA)
Work Health and Safety Act 2012 (SA)

Australian Capital Territory

Discrimination Act 1991 (ACT)



Public Disclosure Act 2012 (ACT)
Work Health and Safety Act 2011 (ACT)
Working with Vulnerable People (Background Checking) Act 2011 (ACT)

Queensland

Anti-Discrimination Act 1991 (Qld)
Whistleblowers Protection Act 1993 (SA)
Working with Children (Risk Management and Screening) Act 2000 (Qld)
Work Health and Safety Act 2011 (Qld)

Northern Territory

Anti-Discrimination Act 1992 (NT)
Care and Protection of Children Act 2007 (NT)
Work Health and Safety (National Uniform Legislation) Act 2011 (NT)

Tasmania

Anti-Discrimination Act 1998 (Tas)
Public Interest Disclosure Act 2002 (Tas)
Registration to work with vulnerable people Act 2013 (Tas)
Work Health and Safety Act 2011 (Tas)

Western Australia

Occupational Safety and Health Act 1984 (WA)



