



AFPA EXECUTIVE SERVICE

Document Summary

Document authorised by: AFPA National Executive

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Executive Service

1) What are you taking on by seeking election to the Australian Federal Police Association Executive?

The AFPA is a branch of the Police Federation of Australia (PFA).

The PFA is defined as a 'registered organisation' by the Fair Work Commission, under the Fair Work (Registered Organisations) Act 2009 (the RO Act).

The Registered Organisations Commission (ROC) regulates organisations such as the PFA.

In simple terms, the AFPA is an association of employees – a collective made up of its financial members.

The exercise of its powers and everyday business would not be practicable with input by all its members all the time. For this reason, the running of the Association is vested in a smaller body known as the Executive.

As the AFPA is a registered organisation, the legislation places a significant compliance burden on both the organisation and individual officeholders.

We are a not-for-profit organisation, which means that assets cannot be distributed to members or former members of the AFPA.

The objectives of the Association are established by *Rule 55 of the Branch Rules*.

They include:

- *To uphold the rights and to foster, protect and improve the rights and interests of members industrially and otherwise.*
- *To obtain and secure for its members, the best possible conditions and proper and sufficient remuneration, and to guard them against any hardship, oppression, or injustice in connection with their employment.*
- *To take all necessary steps for the protection and safety of the members in the course of their occupation.*

The assets of the Association must be directed towards achieving these and the other identified objectives within the rules.

The Executive consists of:

- A President,
- A Vice-President,
- A Secretary/Treasurer, and
- Six (6) Executive members.

The Executive has a fiduciary duty to act in the best interests of the Association and its members, over and above any personal interests.

These offices have specific responsibilities, collectively as the Executive and individually under both the RO Act and the AFPA Rules.

The President is required to work full time at the Association office in Canberra.

The other eight offices remain honorary (unpaid) unless otherwise determined by the Executive.

The Secretary/Treasurer has specific mandated duties under the rules; however, the day-to-day function of most of these duties has been delegated to the General Manager. The General Manager is a paid employee appointed by the Executive under the Rules.

Each Executive member is expected to have a degree of financial literacy sufficient to interpret both a balance sheet and a profit and loss statement. This is to ensure that they can be confident that the Association is not trading while insolvent and that it can pay its debts when they fall due.

Other duties include acting in the best interests of the Association for a proper purpose, avoiding any conflicts of interest, and exercising due care and diligence. Ignorance is not a legal defence, nor is deliberately alienating yourself from the business of the Association.

There are recent examples, both in Registered Organisations and the broader corporate world, which have seen Executive officers and Directors gaoled for breaching their duties.

While the objectives of billion-dollar, publicly listed companies and registered organisations like the AFPA are vastly different, the legal and moral expectations placed on those entrusted to run the business are essentially the same. So, before you put your nomination in, think seriously about what you are signing up for.

2) Being elected to the Executive

To be elected to a position on the Executive, including President, you must be an elected member of the National Council representing the Zone or Region that you belong to, or a current Executive member.

The elections for National Council coincide with the Biennial National Council; however, the result is often not determined until three to four weeks after the National Council has taken place.

The last Executive election was held in 2019.

There are currently minimal vacancies on the National Council, with the majority of Zones having no vacancies.

There are currently no vacancies on the Executive.

The 2021 National Council will take place on March 24th and 25th, 2021. The Australian Electoral Commission will call for nominations from National Council members in early 2021.

3) The Executive Roles

a) President

The role of President is a full-time role based in Canberra at the AFPA Office.

This is a paid role, and the remuneration is determined by the Executive under the AFPA Office Holder Remuneration Policy.

The duties of the office are:

- 1. The President shall preside at all meetings of the National Council and the Executive and any meeting of the Association held by decision of the National Council. They shall preserve order so that the business may be conducted in due form and with propriety and upon the minutes being confirmed shall sign those minutes in the presence of the meeting.*
- 2. The President shall have the authority to act for and on behalf of the Executive in any matter of such urgency that the Executive cannot reasonably be convened or consulted under these Rules but shall report the full circumstances of such action to the Executive at the first available opportunity.*

The remuneration range for this position is currently being independently assessed.

The Executive will use this assessment to determine a remuneration range for the position. Information will be available before the end of 2020 for interested candidates and can be obtained from the President, Secretary/Treasurer, or General Manager.

b) Vice-President

The Vice President is an honorary office and has no greater power or duties than the other Executive members unless the President is unable to carry out the duties of that office - in these circumstances the Vice President assumes the role of President.

The Vice President is required under AFPA policy to chair the Legal Assistance Committee.

c) Secretary/Treasurer

The Secretary/Treasurer is an honorary office. This position does have very specific duties and responsibilities under Rule 84. While at a functional level most of the duties are delegated to the General Manager, the responsibility remains with the Secretary/Treasurer and the Executive.

While the office requires no special qualifications, if you are interested in this role you should firstly contact the President, Secretary/Treasurer, or General Manager.

d) Executive Member

There are six positions for Executive members. These are all honorary positions.

The role of an Executive member is broadly defined by Rule 83(2) as:

83(2) *Each Executive Member shall at all times assist the President in the execution of their duties and provide oversight, direction and assistance to Convenors and Workplace Delegates. The Executive will determine which Convenors and Workplace Delegates are to be allocated to each of the Executive Members for oversight, direction and assistance.*

The RO Act mandates a number of other duties and responsibilities for all nine officeholders. This information can be accessed at the Registered Organisations Commission website www.roc.gov.au.

The AFPA Executive Meeting Policy also sets out our expectations of Executive members.

From 2021, the term for each office will be four years.

4) Do I have the time to dedicate to this, in addition to my normal work commitments?

a) You will need to make this assessment yourself.

The Executive (before COVID-19) meet at least four times a year face to face.

You will also be required to attend other meetings via Zoom or teleconference on an as-needed basis.

You may also be appointed to an Executive subcommittee requiring face to face or virtual meetings, outside of the regular Executive meetings. The three most active committees are the:

- Finance, Audit, and Risk Committee (FARC)
- Legal Assistance Committee
- Enterprise Agreement Committee

If you are successfully elected to the Executive, you will be required to undertake the online Police Union Financial Governance Course through the PFA (four-hour commitment).

The Executive will also require you to undergo up to three days of governance training, with a provider such as the Australian Institute of Company Directors.

The Commissioner has approved specific miscellaneous leave for AFPA activities and is generally supportive of training opportunities provided by the AFPA.

Currently, the AFPA is planning for two blocks of specific Executive activity in late May and late August 2021.

b) I've read this document thoroughly and am (still) really interested in becoming part of the Executive!

Your next step is to contact the President, one of the other Executive members, or the General Manager to answer any remaining questions you may.

Nominations open in early 2021. The AFPA wishes you the best of luck!