BSB41021

Certificate IV in Aboriginal and Torres Strait Islander Governance

Module 2

Learner Manual

BSBFNG406 Assist in developing and implementing Aboriginal and Torres Strait Islander organisational policies

Contents

Introduction

This Learner Manual addresses the Unit of Competency BSBFNG406 Assist in developing and implementing Aboriginal and Torres Strait Islander organisational policies.

The Learning Objectives are:

- Describe the purpose of policies in an organisation.

- Describe the process of policy development.

- Describe the process of policy implementation.

What is Policy?

The Australian Indigenous Governance Institute (AIGI) provides the following definition of policy:

Definition: Policies are the big-picture guidelines that set out, in clear language, what an organisation wants to achieve (such as its long-term vision and goals) and the performance standards and outcomes expected.

They provide the overarching framework under which procedures are then designed to get those big-picture things done.

In any organisation, some policies specifically focus on governance; others address operational, administrative and HR matters.

Whatever the type, in all cases, the final policies must be formally approved by the governing body.

Only decisions made by the governing body as a whole are binding.

Put simply, the governing body develops policy and management implements it.

Types of Policies

There are two broad types of policies: governance and operational.

Governance policies are made by the governing body. They cover the governing body's accountabilities, attendance, codes of conduct, commitments, conflict of interest, decision making, governance values, leadership, roles and responsibilities, and a range of related cultural matters.

They also include policies on the governing body's relationship with the top manager and staff, its nation and community members, its financial commitments and its ethics.

Operational policies are usually drafted by the top manager to apply to the administration and daily management of the organisation. They include policies on complaints procedures, diversity and harassment, employment, HR and managing staff.

The top manager initially develops and oversees these policies, but the governing body will also be involved and finally approve them, often at its meetings when discussing communication with members, dispute resolution and cultural leave issues.

What do Policies do?

Policies are the 'bread and butter' standards that help to ensure consistency and accountability.

They:

- Serve as a tool of governing control.
- Act as frameworks for future direction and strategy implementation.
- Set boundaries, constraints and limits on action.
- Reward and sanction behaviour.
- Indicate what staff can expect.
- Reduce the chance of inconsistent, unfair or erratic decision making.
- Enable reliable delegation of powers to management and staff.

If the governing body is not developing and enforcing policies, it is not doing its job for the organisation.

A well-developed governance framework (documented in a written policy manual) benefits the nation and community, as well as the organisation.[1]

Policy must be developed in accordance with:

- The Constitution of the organisation.
- The Strategic Plan.
- Legal requirements.
- Requirements of any relevant funding bodies.
- Operational requirements of the organisation.

Observe the Constitution

A Constitution is a legal set of rules by which organisations operate. A Constitution is the highest level of policy of an organisation. The Constitution is sometimes referred to as the Rule Book.

The constitution lays down the rules and objectives of the organisation. The rules that come under the provisions of the Act of incorporation include:

- Requirements to become a member of the organisation.
- How the board of management should operate.
- Dispute settlement.
- The purpose and functions of the organisation.
- Meeting procedures and policies including voting.
- Financial management and audits.
- How the rules and objects (aims of the organisation) may be changed.
- How an incorporated association can be dissolved.

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[1] https://toolkit.aigi.com.au/toolkit/6-3-policies-for-organisations

Strategic Planning

Developing and setting a clear strategy for the organisation and then implementing it is vital to the success of an organisation. The organisation may have trouble pursuing and achieving its objectives if the purpose of the organisation is not clearly defined.

A strategic plan provides a framework for policy development.

A strategic plan is a document mapping out the organisation's aspirations and objectives and a plan on how these goals will be achieved. It addresses the long-term direction of the organisation by describing what it's going to do and how.[2]

How to Develop Policies and Procedures

Policy Development Group

Start by working with board members to establish a policy development group and determine any required sources of expert advice.

Follow the steps outlined below:

Define the Purpose and Scope

- Clarify what the group is being formed for (e.g., developing a new policy, reviewing existing ones, ensuring compliance).
- Identify which areas of the organisation the policy will cover.

Gain Leadership Support

- Seek approval from management, the Board, or governing body.
- Ensure alignment with organisational goals, values, and legal requirements.

Select Group Members

- Choose a diverse mix of people who represent different parts of the organisation.
- Management/Leadership – for strategic alignment.
- Frontline staff – to ensure practicality.
- Subject matter experts – e.g., HR, legal, finance, health.
- Community/Client representatives – particularly important in Aboriginal Community Controlled Organisations (to ensure cultural appropriateness and community voice).

Define Roles and Responsibilities

- Chairperson/Facilitator – leads discussions and ensures progress.
- Policy writer/drafter – records and develops drafts.
- Reviewers/Advisors – provide feedback and specialist input.

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[2] https://www.aicd.com.au/content/dam/aicd/pdf/tools-resources/director-tools/organisation/strategic-plan-development-director-tool.pdf

- Admin support – schedules meetings, keeps minutes.

Set Processes and Timelines

- Agree on how the group will operate (e.g., meeting frequency, decision-making methods).
- Establish a timeline with milestones (e.g., draft completed in 6 weeks, consultation in 8 weeks).

Engage Stakeholders

- Plan for staff, community, and client consultation.
- Use culturally appropriate methods (yarning circles, surveys, focus groups).

Develop and Review Drafts

- Draft policy documents, circulate for feedback, refine through group consensus.
- Ensure compliance with legislation, organisational requirements, and cultural protocols.

Seek Endorsement

- Submit the final draft to senior management, Board, or Council for approval.

Plan Implementation

- Develop strategies for communication, training, and rollout.
- PDG may continue to monitor the policy after implementation.

Making a policy

Policy-making is a skill that can be learned.

Organisations should include practical sessions in inductions and governance training for board members on how to make policies, and how to then work with their top manager to ensure the organisation follows those policies.

Policies need to be workable and fair and easily understood.

While the governing body has responsibility for making and adopting policies, the policies won't be supported if:

- Community and staff members do not understand them.
- They have not been consulted or had the chance to contribute to them.
- The policies do not reflect broadly held values.

Every community and organisation has its own ways of developing policies and focuses on issues that matter most to them. But there are some common steps you can follow.

It is important to write down your policies and other rules and make sure copies are always accessible. It may also be useful to translate your rules into language and visual formats.

A policy usually contains:

- A purpose statement. This outlines why the organisation is issuing the policy and what it should achieve.

- An applicability and scope statement. This describes who the policy affects and what will be affected by the policy. This statement may include or exclude certain people, organisations, behaviours or activities from the policy requirements.

- An effective date. This states when the policy begins.

- A policy statement. This sets out the specific guideline, regulation, requirement, or modification to people's and organisational behaviour that the policy is trying to encourage.

- A review and evaluation statement. This explains when and how the policy will be assessed.

- A complaints statement. This sets out the process for how complaints about the content of the policy will be handled, its implementation or impact.

- A communications statement. This talks about how the policy will be communicated to staff, members, the wider community.

- A roles and responsibilities section. This states which people or sections of the organisation are responsible for carrying out particular parts.

- A definitions section. This provides clear meanings for terms and concepts.

- A cultural issues statement. Many Indigenous governance policies contain extra sections setting out cultural issues, goals, values and traditions that the policy recognises and is supporting, protecting, regulating or limiting.

To increase the effectiveness and legitimacy of policies, many Indigenous organisations are also including a cultural enforcement statement in their policies. This sets out practical processes and mechanisms that the governing body has identified as something that might help the governing body, management and staff to implement the policy in the face of challenging cultural pressures.[3]

Including Experts in Policy Development

Experts should be included when developing policies. They can provide:

Cultural Advice

- Guidance from Elders, cultural advisors, or Traditional Owners.

- Ensures policies respect cultural protocols, kinship systems, decision-making practices, and community values.

Legal and Compliance Advice

- From legal experts, especially those experienced in Aboriginal and Torres Strait Islander rights and governance.

- Ensures policies comply with legislation such as the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI Act), workplace laws, privacy laws, and human rights obligations.

Community and Health Expertise

- Input from Aboriginal Health Workers, community representatives, and sector experts.

- Ensures policies are responsive to community health, wellbeing, and service delivery needs.

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[3] https://toolkit.aigi.com.au/toolkit/6-3-policies-for-organisations

Financial and Governance Advice

- From accountants, auditors, or governance specialists.
- Helps design policies for financial accountability, funding agreements, and transparent decision-making.

Human Resources and Workforce Development

- From HR specialists with experience in Aboriginal organisations.
- Ensures culturally safe recruitment, staff support, and workplace policies.

Policy and Research Expertise

- From policy analysts, researchers, or peak bodies (e.g., NACCHO, state/territory affiliates).
- Provides evidence-based approaches and alignment with sector standards and best practice.

Diversity, Equity and Inclusion

DEI stands for diversity, equity and inclusion. As a discipline, DE&I is any policy or practice designed to make people of various backgrounds feel welcome and ensure they have support to perform to the fullest of their abilities in the workplace. **Diversity** refers to the presence of differences within a given setting; in the workplace, that may mean differences in race, ethnicity, gender, gender identity, sexual orientation, age and socioeconomic background. **Equity** is the act of ensuring that processes and programs are impartial, fair and provide equal possible outcomes for every individual. **Inclusion** is the practice of making people feel a sense of belonging at work.[4]

An organisation might choose to have its own diversity, equity and inclusion policy. In addition, diversity, equity and inclusion principles should be observed in the development of all policies.

In Australia, we also use the term EEO. This relates directly to anti-discrimination legislation.

Community Consultation

It is critical that the community is consulted in the development of policies. Consultation can include:

Engage Elders and Traditional Owners

- Involve local Elders from the start to guide the process and ensure cultural protocols are followed.
- Seek their advice on how the community prefers to participate.

Yarning Circles

- Use informal, respectful discussion circles that allow participants to share stories, experiences, and perspectives.
- Encourages open dialogue in a culturally safe environment.

Community Meetings and Forums

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[4] https://builtin.com/diversity-inclusion/what-does-dei-mean-in-the-workplace

- Hold meetings at accessible locations and times convenient for community members.
- Provide opportunities for questions, feedback, and collaborative discussion.

Use of Visual and Oral Methods

- Incorporate storytelling, artwork, diagrams, or videos to communicate ideas clearly.
- Reduces barriers for those with diverse literacy levels.

Inclusive and Respectful Communication

- Use plain language and avoid jargon.
- Employ interpreters or language support if needed.
- Respect decision-making processes and timeframes valued by the community.

Written Feedback and Surveys

- Provide options for written or anonymous feedback for those who prefer it.
- Ensure materials are culturally sensitive and easy to understand.

Ongoing Engagement

- Keep the community informed throughout the policy development process.
- Provide feedback on how their input influenced the final policy.

Policy Implementation

The following information refers to a children's services organisation, however the ideas can also be applied to Aboriginal Community Controlled Organisations.

There is no advantage in having the most professional and comprehensive policy manual if the policies contained within are not being implemented. A manual that stays on the shelf and is not referred to on a daily basis by the staff that run the service, is of no value at all. Policies must be seen to be important from top management down to the most inexperienced member of staff. Everyone within your service needs to be fully informed, and understand the importance of consistent policy implementation.

There are a number of strategies that will assist your service to support staff to consistently implement service policies:

- Remember that educators/staff are key players in policy implementation. Most policies developed for children's services are implemented by the staff team or educators. These people therefore should have input into policy development, to ensure policies are clearly understood and support educators/staff to complete the daily requirements of the service. This is important because when the staff team or educator is actively involved in the development of the policies they will take ownership of the process, and fully support it and understand why it is important.
- Hold meetings with educators/staff to discuss changes to policies and facilitate debate about the implementation of these changes and any perceived difficulties. Opportunities to clarify meanings and openly discuss the implications of policy changes will help to allay misunderstandings, and may also highlight an issue that you have overlooked. This involvement in policy review and development is a key to ensuring policies actually work.

- Make policy review a standard agenda item for your staff meetings, and review a different policy at each meeting. Use this agenda item to either discuss a policy that is up for review, or to remind staff about a policy that they need to be particularly focused on due to the time of year, or because of recurring issues related to the policy.

- Draw attention to specific policy requirements by placing a copy of the relevant policy next to a task related to that policy i.e. display policy on health and hygiene and nappy changing procedures, in the nappy changing area, to remind staff about the procedures required to ensure hygiene standards are maintained whilst changing nappies.

- Confirm certain practices at the service by displaying the relevant policy in the appropriate area i.e. the nutrition policy is displayed next to the menu, or the excursion policy is put up next to details about a forthcoming outing.

- Draw attention to a new policy or change in policy by establishing a space on the staff noticeboard for NEW POLICIES. Refer staff to the board when new information has been put up. You may also provide a plain sheet of paper for staff to add their comments.

- Trial the introduction of new policies and procedures and seek staff and family feedback prior to accepting changes.

Establish an environment that supports consistency of policy implementation. Make sure you support your staff to implement your policies through:

- Inducting new staff members to service policies and code of ethics – it is important to ensure new staff are carefully introduced to your service's policies and procedures, and code of ethics during the orientation process. Providing a mentor or buddy that will support the new staff member, be available to answer questions or clarify standard procedures and role model best practice, will assist the new staff member to become familiar with service policies, and help to ensure consistency of implementation.

- Setting achievable tasks and realistic workloads – it is important to give clear explanations about new policies or procedures and to ensure that staff members have sufficient time and skills to implement the policies effectively. On-going monitoring and supportive supervision will provide staff with clear expectations, immediate and honest feedback and positive encouragement, as they work to implement new initiatives.

- Ensuring policies and procedures are unambiguous and are clearly written – your policies and procedures are the guiding force in how all aspects of the work of your service will be conducted. Make sure that you have clearly written procedures that all team members fully understand as this will support consistent implementation of policies.

- Providing clear roles and responsibilities – being clear about who will take responsibility for what, and who staff should report to is also essential. Ambiguity in the scope and responsibility of the job and the expectations of others, can lead to confusion. Clearly stated roles and responsibilities will assist staff to see where they fit into the day to day running of the service and who is responsible for policy implementation.

- Encourage educators/staff to monitor each other's practice, raise questions about policy implementation through nonthreatening and inclusive interactions, and support each other to implement best practice standards.

- Effective communication – ensuring opportunities for ongoing feedback and two-way communication between management and staff is essential as this will facilitate raising any

issues or concerns about policy implementation from both management and individual staff members. Educators/staff are in the best position to provide feedback to management about any difficulties or issues that policy implementation may create. This is an important strategy to ensure policies are effectively and consistently implemented. Educators/staff are in daily contact with families and can also provide feedback on any difficulties that service policy is creating for families, as well as encouraging families to raise their concerns personally.

- Plan professional development opportunities for educators/staff to learn about current best practice. Support new ideas and encourage educators/staff to research their understanding of different practices. Well trained staff gain the expertise and knowledge to identify when poor practice occurs and the confidence to mentor their colleagues to value best practice.

- Providing relevant resource materials in support of policy implementation – providing additional resources that back up and support policies, and provide staff with further information to implement policies successfully will encourage consistent implementation of policies.[5]

Policy Review

Policies and procedures must be reviewed periodically. When any changes occur, ensure the policies and procedures remain relevant and effective. For example, a change may occur when a business purchases a new piece of machinery, starts using a new chemical or adopts a new production method. Any such changes mean that relevant procedures should be reviewed.

The review cycle will depend on the circumstances and document type, but it is a good idea to review policies at least every 2 years, e.g. an OHS training policy may only need to be reviewed every 3 years, but a chemical handling procedure should be reviewed more often due to the level of hazard involved.

Implement a document management system that:

- Triggers reviews.

- Notes the dates of change; and

- Involves interactive revision.

All employees and contractors need to be made aware of the changes to policy and procedure when they occur.[6]

Policy Review Plan

Develop a plan for active maintenance and review. Owners of policy may not have the time or inclination to keep the information current. A methodology and training process needs to be in place to assist them. New developments in document management software can help in this area. Audits can often identify information that needs updating. There is no quicker way to lose the confidence of your users than to have information that is obsolete and no longer applicable.

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[5] https://www.acecqa.gov.au/sites/default/files/2021-01/PolicyTipSheetEnsuringPoliciesConsistImplement.PDF
[6] https://healthandsafetyhandbook.com.au/bulletin/step-by-step-how-to-implement-effective-policies-and-procedures/

- Who will ensure that policies are actively maintained and reviewed?

- How often will your policies be reviewed for possible updating?

- What process will be used when a policy comes up for review?

- Encourage feedback The people who use the policies can help keep them accurate. Users are often the first to notice that information is outdated. Having an easy and visible way to invite feedback will assist in the maintenance process. User involvement will also help communicate the message to users that their help is welcomed and that they have an opportunity and perhaps even an obligation to keep information current. Users know what works and what doesn't. They can often offer suggestions for improvement. What method will users use to report feedback?

- How will feedback be solicited or encouraged?

- Who will keep track of feedback and suggestions for improvement as they are received or discovered?

- Archive Changes and Date New Releases with an "Effective Date" Where will archived copies of versions be maintained?

- Measure outcomes. Consider developing a measure to quantify the usefulness of the policies, such as the number of hits on the web site or logging phone calls on questions or suggestions for improvement. For critical issues, an internal or external audit may provide feedback on the extent of compliance with the policy or procedures. How will you measure outcomes?[7]

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https://www.emrc.org.au/Profiles/emrc/Assets/ClientData/Documents/Page_Content/Environmental_Services/NRM-Policy-Development_Guidelines.pdf