



Financial Counsellors'
Association of Queensland
Policies and Procedures
Manual



FCAQ Policy Manual

Financial Counsellors' Association of Queensland Inc.

“helping consumers manage their financial challenges”

FCAQ Policies and Procedures

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CODE OF PROFESSIONAL CONDUCT

All members of the Financial Counsellors' Association of Queensland Inc. (FCAQ) must comply with the national Code of Ethics, as issued by Financial Counselling Australia.

It is of paramount importance that financial counselling services are independent of credit providers. If a financial counsellor is concerned that industry funding, resources, joint projects and/or sponsorship may impact their capacity to provide an independent service that upholds the principles of the Code of Ethics, the financial counsellor should refer to the policies of FCA or FCAQ.

All FCAQ **Associate** and **Accredited** members must:

- Be employed and work in a Queensland not for profit community service organisation that provides financial counselling services free of charge.
- Not be employed by, or volunteer in, the finance industry or for an entity that holds a credit licence (under ASIC) or provides consumer leases.
- Not be employed by, or volunteer in, an organisation/employer that receives direct funding from a credit provider to provide a financial counselling service.
- Re-apply for membership at the start of each calendar year, being by 1st January.

Financial Counsellors working under the Regulatory Framework

Financial Counselling agency must follow strict conditions set by Australian Securities Investment Commission.

The Financial Counselling Agency:

- Does not charge any fees or receive any remuneration arising from the financial counselling service.
- Does not provide any financial product advice or credit activity outside the exemption.
- Ensures that its financial counsellors have appropriate training and adequate skills and knowledge.
- Ensures that its financial counsellors are a member of, or eligible for membership of a financial counselling association.



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QUALIFICATIONS

FCAQ is a professional association for financial counsellors working in Queensland. There are three categories of membership:

1. Affiliate
2. Associate
3. Accredited

Affiliate Members (non-voting)

An individual or agency working in the financial counselling, capability and resilience sector in a related role, *or* actively studying for the Diploma of Community Services (Financial Counselling) *or* has completed the Diploma of Community Services (Financial Counselling) - but is **not** working as a financial counsellor.

An applicant must demonstrate

- that they are employed by a Queensland non-profit community service organisation that provides financial counselling, capability and resilience services free of charge
- a fundamental link to FCAQ and its members
- a purpose for affiliate membership that is of benefit to FCAQ and its members.

Affiliate members of FCAQ are **not** financial counsellors. They cannot:

- call themselves financial counsellors
- be a member of the FCAQ management committee
- vote at FCAQ meetings

Associate Members

To be eligible for membership of FCAQ as an Associate member, a person must:

- be primarily employed as a financial counsellor as per their Position Description
- be currently enrolled and studying the Diploma of Community Services (Financial Counselling), *or* hold that Diploma
- be supervised by an approved Accredited financial counsellor supervisor for at least 20 hours per annum, with a minimum of 10 hours one to one contact
- have continuing professional development of 20 points per annum, as per the National Standards requirements
- New Associate member applicants, who on application are not able to provide verified evidence of supervision, will be granted one month to provide such evidence. In the event that no verified evidence of supervision is provided, that application will be deemed to have not met eligibility.



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Accredited Members

To be eligible for membership of FCAQ as an Accredited member, a person must:

- be primarily employed (or volunteer) as a financial counsellor, or financial counsellor supervisor, as per their Position Description
- hold the Diploma of Community Services (Financial Counselling)
- have two years full-time, or four years part time experience working as a financial counsellor
- be supervised by an approved Accredited financial counsellor supervisor for at least 10 hours per annum, or prorata based on FTE with absolute minimum 6 hours per annum
- have continuing professional development of 20 points per annum, as per the National Standards

Upgrade from Associate to Accredited Membership

All Associate members applying for upgrade to Accredited membership must provide evidence of two years FTE (full time equivalent) employment, or four years part time employment as a financial counsellor, by submitting a written and signed statement from their employer as verification.

Recognition of member's prior experience

- If in the previous three years a person has not worked as a financial counsellor, they must re-enter as an Associate member, complete supervision with an approved Accredited financial counsellor supervisor, and complete CPD requirements. The member will be eligible to reapply for Accredited membership as soon as CPD of at least 10 points in SKILLS has been achieved
- On submission to the FCAQ Membership Secretary, of an application to upgrade with supporting evidence of required CPD points, the member will be eligible for reinstatement to the same membership level as at the time of leaving FCAQ or another State association

Equivalent Qualifications

Financial Counselling qualifications will only be regarded as equivalent to the Diploma in Community Services (Financial Counselling) where they are approved by:

- a registered training organisation as equivalent; or
- another State's financial counselling association as being suitable for accreditation in that state.



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SUPERVISION

Definition of Supervision

Professional supervision supports the work of a financial counsellor. The supervision process provides a forum to discuss casework, clinical aspects of the role and the counsellor's emotional and psychological wellbeing.

Professional supervision is an equal relationship founded on mutual trust and respect. Line management supervision is a different process to professional supervision.

Line Management is undertaken by a person or persons to whom the financial counsellor reports.

Line management includes oversight of the casework undertaken by the financial counsellor as well as ensuring the financial counsellor meets organisational goals and complies with standards.

FCAQ requires that all financial counsellors are supervised by an approved Accredited Financial Counsellor. Line managers are not considered supervisors unless they have accredited status.



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Best Practice	Acceptable Practice	Unacceptable Practices
Choice of supervisor		
Supervisee driven, so that the financial counsellor chooses their supervisor	Chosen by the agency, after consultation with the financial counsellor	Agency imposed with no consultation
Mode of supervision		
One on one relationship, with supervision provided either face to face, by phone or video	<p>Associate / In training. A portion of group supervision or case conferences is acceptable. Minimum of 10 hours one to one supervision for financial counsellors in training and Associate financial counsellors. The remaining 10 hours supervision can be a combination of group, or one to one.</p> <p>Accredited. A minimum of 10 hours for Accredited financial counsellors</p>	Online chat, forum or email
Whether the supervisor is external/internal to the agency		
Supervisor is external to the agency	Supervisor is also employed by the agency	Cannot be the financial counsellor's line manager



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Best Practice	Unacceptable Practices
Qualifications of supervisor	
<p>To provide professional supervision, a person must:</p> <ul style="list-style-type: none"> • be an accredited financial counsellor with a minimum of three years' experience, AND • have undertaken an approved supervision course or • be a qualified counsellor or psychotherapist or psychologist, at degree level 	Not qualified
Discussion about casework (technical aspects)	
<p>Relevant only to the extent that it enhances reflective practice and growth for the financial counsellor</p>	<p>Cannot be the primary focus of professional supervision.</p> <p>Where a financial counsellor does not have a line manager who is an accredited financial counsellor, they may need to seek assistance about technical casework issues from other sources, such as legal aid.</p>
Cross border supervision	
A supervisor can be from any State or Territory	Not applicable



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Amount of supervision (as set out in the National Standards for Membership and Accreditation)

Financial Counsellors in Training and Associate

- For financial counsellors employed 0.5 FTE or more – minimum of 20 hours per membership year
- For financial counsellors employed less than 0.5 FTE – minimum of 10 hours per membership year,
- or prorata based on FTE with absolute minimum of 10 hours per membership year

Accredited Financial Counsellors

- For financial counsellors employed 0.5 FTE or more – minimum of 10 hours per membership year
- For financial counsellors employed less than 0.5 FTE – minimum of 6 hours per membership year
- or prorata based on FTE with absolute minimum of 6 hours per membership year



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Requirements to be a Supervisor

To be a financial counselling supervisor a person must hold:

- The Diploma of Community Services (Financial Counselling) or equivalent as approved by the FCAQ
- Accredited membership with a State or Territory financial counsellor association
- Three years full time equivalent (FTE) financial counselling experience
- Evidence of completion of a suitable course in professional supervision as per requirements in the National Standards (Supervision Policy).

The specific goals of financial counselling supervision are to:

- promote ethical and professional standards, and educate counsellors about them
- encourage compliance with critical legislation, including the ASIC Financial Services exemption for Financial Counsellors
- protect stakeholders
- help financial counsellors to apply their technical knowledge to their work
- increase the FC's effectiveness in providing an accurate, timely and professional financial counselling service
- support financial counsellors in a way that also promotes the supervisee's personal well-being.

Record Keeping

All financial counsellors must keep a Supervision Record for each calendar year which lists:

- the name of both supervisee and supervisor, date and length of each supervision session
- the name of the supervisor for each session, and their signature
- the financial counsellor has the sole responsibility in sending their new/renewed application to FCAQ membership secretary.



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Supervisor

The supervisor of the financial counsellor must also keep their own file-note for each supervision session.

Note: Line management does not count as financial counsellor supervision

FCAQ will only recognise line managers as financial counsellor supervisors in exceptional circumstances. A financial counsellor would need to apply in writing to FCAQ for a line manager exemption, and satisfy the committee that:

- the line manager is an Accredited financial counsellor
- there are no other viable alternatives, such as
 - paid supervision by an Accredited financial counsellor employed elsewhere
 - phone or video supervision
- the employer is able to separate the supervision session from line management functions.

Where a financial counsellor has been granted an FCAQ line manager exemption by FCAQ, they will be required to:

- advise FCAQ of any change in circumstances which would affect their eligibility
- produce the FCAQ written Notice of Exemption if requested during the calendar year
- re-apply each calendar year.



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CONTINUING PROFESSIONAL DEVELOPMENT

CPD is the reinforcement or acquisition of skills or knowledge relevant to the workplace.

Application

Applies to associate members and accredited members

Amount

The financial counselor must complete 20 points of CPS per annum, with a minimum of one session from each of three categories as set out below.

Three Categories

Technical – eg. Content knowledge relevant to legal issues, banking, fines, EDR/IDR, superannuation, hardship, insurance, completion of Statements of Financial Position

Skills – eg. Counselling, mental health, communication (written, verbal), interviewing, cultural awareness, suicide prevention/training and negation

Ethics – eg. Conflict of interest, boundaries, counselling relationships, cultural awareness, options – clients choices; appropriate referral to other services

Record Keeping

All financial counsellors must keep a CPD record each calendar year that lists each CPD activity, and shows

- the date, provider, topic, and points allocated per activity
- the total CPD points achieved for the calendar year

Examples of acceptable CPD activities that can be counted:

- attending financial counselling conferences and training days hosted by Financial Counselling Associations
- casework meetings chaired by an Accredited financial counsellor, and minuted
- financial counselling training offered by credit providers and government agencies
- in-house training delivered relevant to financial counselling service delivery
- class time for the Diploma in Community Services (Financial Counselling) units completed

Activities *NOT* to be claimed as CPD:

- reading
- supervision
- community education



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CASEWORK HOURS SUBMISSIONS

Individual members are encouraged to contribute to public debate through submission writing, such as letters of support, submissions to government inquiries or reviews, joint submissions or other documents where a response is warranted.

The purpose of writing submissions is to add to the debate on relevant issues to:

- improve rules/regulations/practices that impact on the wellbeing of FC clients
- recommend changes that improve financial counselling service delivery
- build awareness of the work done by Queensland financial counsellors and its value.

Generally, we encourage Queensland financial counsellors to write submissions in their own names. Where a person wishes to make a submission in the name of FCAQ they must:

- send the completed article to FCAQ for written approval, prior to submission
- accept that the submission becomes the property of FCAQ
- agree that the submission can be quoted or used as reference material by FCAQ members with acknowledgement of the source.



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REQUESTS FOR ENDORSEMENT

This policy describes the framework under which FCAQ enters into projects, research, joint submissions, letters of support and/or requests for support.

FCAQ will not endorse anything that:

- compromises FCAQ's independence as a consumer advocate;
- does not fairly represent its members, and the financial counselling sector

All requests for support must meet the following criteria:

- the proposed project must benefit the majority of the membership, the sector, and our clients;
- fill an existing or emerging need;
- be limited to what was requested and agreed to in FCAQ's letter of support, and not extend to other projects or services;
- not be accompanied by any offers of inducement to members of the Management Committee

Any member who becomes aware that a request for support may lead to a conflict of interest should notify all members of the Management Committee.



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MEDIA POLICY

FCAQ represents and conveys the views of Queensland Financial Counsellors on local, state or national levels.

Comments to media must not compromise FCAQ's independence as consumer advocates. Any media releases, statements or campaigns in the name of FCAQ must be approved by the Management Committee prior to release.



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GRIEVANCES AND DISPUTE RESOLUTION POLICY

Purpose

This policy provides guidance on how to resolve concerns you have about your dealings with FCAQ.

Policy

The members of the Management Committee must:

- identify potential problems and work to prevent them from becoming formal grievances;
- communicate and share appropriate information with the FCAQ membership;
- when determining the actions to be taken, consider the wishes of the member who lodged the grievance or dispute;
- fully document all measures taken in dealing with grievances and disputes;
- treat all members fairly and without fear of intimidation.

All FCAQ members must try to resolve any issues:

- through meetings, discussions with relevant committee members and through any other appropriate method;
- at the earliest opportunity.

Procedure

If you believe you have a dispute or grievance with FCAQ, you need to:

- raise the matter (in writing) with the Management Committee addressed to the Committee Secretary as to try and resolve the matter;
- consider the resolution offered by the Management Committee
- communicate to the Committee your response to any Committee offer
- be open to any suggestion of external mediation, which is suggested by the committee.



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EXTERNAL COMPLAINTS and DISCIPLINARY PROCESS POLICY & PROCEDURE

Purpose

The Financial Counsellors' Association of Queensland has adopted the national "Disciplinary Process - Policy and Procedures". This is to ensure the FCAQ Management Committee deals with complaints in accordance with the Disciplinary Process - Policy and Procedures, which are intended to promote professionalism within financial counselling whilst ensuring fairness and transparency for Members.

Policy

The Disciplinary Process - Policy and Procedures can be found on the FCAQ website and Financial Counselling Australia website.

Procedure

Section 1. Making a complaint

1.1. How a complaint can be made

1.1.1. A complaint may be made orally or in writing.

1.1.2. Where a complaint is made orally, the FCAQ will assist if possible in reducing the complaint to writing.

1.2. Who can make a complaint

1.2.1. A potential unsatisfactory professional conduct issue may come to the attention of the FCAQ in a range of ways, including as a result of information provided:

- a. anonymously;
- b. by a Member's client, employer or co-worker;
- c. by another member of the FCAQ;
- d. a financial institution;
- e. a regulator; or
- f. via a media report.

Section 2. Investigating a Complaint

2.1. When an investigation may be instituted

2.1.1. Where a member of the FCAQ Management Committee becomes aware of an event, complaint, allegation or anything else that may constitute unsatisfactory



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professional conduct on the part of a Member, the Management Committee member is expected to raise the matter at the next meeting of the Management Committee (or if the matter is urgent to seek an extraordinary meeting to address the issue).

2.1.2. At that next Management Committee meeting or extraordinary meeting, the Management Committee must consider the matter.

2.1.3. Management Committee members must disclose any conflict of interest and, if they are conflicted, they must exclude themselves from any further involvement. If all Management Committee members are conflicted, the complaint must be passed on to Financial Counselling Australia which will assume all of the obligations under the Policy and Procedure that would otherwise rest with the Management Committee.

2.1.4. The Management Committee must then assess the information and decide what action to take. This may include:

- a. dismissing the matter on the basis that it does not warrant investigation, for example, because the matter appears not to be of substance or to be little more than a rumour or to have been motivated by personality issues or malice;
- b. seeking further information about the matter; or
- c. deciding that an investigation should be instituted.

2.1.5. Factors that will be relevant for the Management Committee in this initial assessment will include:

- a. the seriousness of the matters involved;
- b. the extent of specification and substantiation of the allegations that have been made;
- c. whether or not a complaint is made in writing and whether or not on an anonymous basis; and
- d. whether or not the complainant has a vested interest that may affect the credibility of the complaint.

2.1.6. Where the Management Committee assesses a complaint made to it, the Management Committee will, if appropriate and practical in the circumstances, advise the complainant of what the Management Committee has decided to do in response to the complaint. (If the complaint is made anonymously for example, this would not be practical.)

2.1.7. Where the Management Committee has decided not to investigate a complaint, the Management Committee will tell the Member except if:

- a. doing so would disclose the identity of the complainant; or
- b. the Management Committee considers the complaint to be trivial, vexatious or disclosure would cause unnecessary stress to the Member.



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2.2. How an investigation may be instituted

2.2.1. If the Management Committee decides that an investigation should be instituted, the Management Committee must appoint one or more persons to investigate and consider the matter on the FCAQ's behalf (the Investigator).

2.2.2. The Investigator must have the skills necessary to carry out the investigation competently and sensitively. This includes the skills:

- a. to identify and gather relevant information;
- b. to conduct the investigation without pre-judging the issues;
- c. to assess probity where there is conflicting information;
- d. to interview relevant people in a way that enables the truth to emerge;
- e. to understand and comply with privacy and confidentiality obligations; and
- f. to make findings and formulate recommendations in an unbiased and balanced way.

2.2.3. So as to accord natural justice to the Member, an Investigator must be independent. This will be the case if the person does not have an involvement in the events the subject of the complaint or a connection with the complainant or the person being complained about that would give rise to a reasonable suspicion of bias on the part of the Investigator.

2.2.4. An Investigator may be:

- a. a Management Committee member who is independent of the matter;
- b. an independent external person, for example, a Financial Counsellor who is not a member of the Association or an executive of Financial Counselling Australia (FCA) or a lawyer; or
- c. a Panel comprising two or more persons both of whom must be independent; or
- d. a Management Committee member of another State or Territory financial counselling association who is independent of the matter.

2.2.5. Where a Management Committee is considering the appointment of an external person, the Management Committee may want to ask the FCA to recommend someone, for example, a person who has fulfilled a similar role for other FCA member associations.

2.2.6. The Investigator must notify the Member in writing of the following:

- a. that the Investigator has been appointed by the Management Committee to investigate and make recommendations in relation to the matter;
- b. the conduct that is of concern and a brief explanation of why this may constitute unsatisfactory professional conduct;
- c. that the Member is invited to provide the Investigator with their written explanation



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- and submissions in relation to the issues raised and the timeframe for this (usually 28 days must be provided to the Member but more or less time may be given where the Investigator deems that the circumstances make this appropriate);
- d. that the Member may instead (or as well) talk with the Investigator to discuss the situation within the timeframe specified for written submissions; and
- e. the disciplinary options available under the Association's Rules.

2.3. Ensuring the Investigation is Fair and Efficient

2.3.1. The Investigator may gather more information by contacting the employer of the Member. If so, the complainant's permission to disclose information about the complainant will usually be required. Contact with an employer can only occur after the Member has provided his or her response to the matters raised, or if the Member has failed to respond within the timeframe set by the Investigator.

2.3.2. The Investigator may also take other steps to gather more information about the relevant matter. This may occur either before or after (or both before and after) the Member provides the Investigator with his or her response to the matters raised with him or her. Depending on the nature of the complaint, steps may include:

- a. obtaining further information from the person who raised the concerns about the Member with the Association;
- b. reviewing any documents that pertain to the matter; and
- c. contacting the Member by telephone to clarify relevant issues or otherwise discuss the matter.

2.3.3. If the Investigator gathers new information, the Investigator cannot rely upon this information in making their recommendations to the Management Committee, unless the Investigator first provides the information to the Member and gives a reasonable opportunity to him or her to respond to that information. This is to ensure natural justice is provided to the Member.

2.3.4. The Investigator must speak by phone with the Member if the Member so wishes and the Member makes themselves available within the timeframe specified in the notification referred to in section 2.2.6.

2.3.5. If the Investigator wishes, the Investigator may as well or instead meet with the Member in person to discuss the issues. The Investigator is not, however, obliged to comply with a request by the Member for an in-person meeting.

2.4. Recommendation by the Investigator



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2.4.1. When the Investigator has concluded the information gathering that the Investigator considers is reasonable in the circumstances, the Investigator must make a report as to the facts of the matter as they understand them and recommend to the Management Committee what action, if any, should be taken. This must not occur before the Member has responded to the Investigator, unless the Member fails to respond before the expiry of the timeframe for response specified in the notification referred to in paragraph 14.

2.4.2. The Investigator's recommendation may be:

- a. that no further action should be taken;
- b. that the Member is counselled about the matter;
- c. that a formal warning is provided to the Member;
- d. that the Member is required to undertake remedial action such as provide an apology to the client or employer agency or complete specified training;
- e. that the Member is suspended from membership of the Association for a defined period or until defined action is undertaken;
- f. that the Member's membership of the Association is terminated; or
- g. any other action the Investigator thinks appropriate.

2.4.3. The cost of any training or remedial action is not the responsibility of the FCAQ.

Section 3. How the Management Committee Responds to an Investigation

3.1. Consideration of the Investigator's Report

3.1.1. The Management Committee must consider the Investigator's report at the next meeting of the Management Committee (which may be a specially convened meeting for that purpose). The Management Committee may decide:

- a. to follow the course of action in relation to the Member that is recommended by the Investigator; or
- b. to take different action in relation to the Member from that recommended by the Investigator.

3.2 Notification of the decision to the Member

3.2.1. The Management Committee must promptly notify the Member in writing of their decision in relation to the matters investigated.

3.2.2. Where the Management Committee decides to issue a formal warning, to require the Member to undertake a remedial action or to suspend or terminate the Member's



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membership of the Association, the Management Committee must provide reasons as to why the Committee considers this course of action to be appropriate.

3.2.3. If the Management Committee decides to require the Member to undertake any remedial action or decides to suspend or terminate the Member's membership of the Association, the Management Committee must in its notification to the Member provide information about his or her appeal rights.

Section 4. Appeal rights

4.2.1. Where a Member is notified that the Management Committee has decided to require the Member to undertake remedial action or to suspend or terminate their membership of the Association, the Member is entitled in the 28 days after receipt of that notification to appeal that decision.

4.2.2. The Management Committee must appoint a Panel comprising three persons to consider an appeal. The Panel must not include the Investigator who investigated the matter or any member of the Management Committee. Apart from these restrictions, the Management Committee may choose any independent person they consider to have the appropriate skills and experience to be a part of the Panel so that they approach their task without pre-judgement.

4.2.3. A Panel must offer to meet with a Member to hear in person why the Member believes that the Management Committee's decision is not appropriate. In addition, the Panel must provide the Member with 14 days to provide a written submission (additional time may be given if the Panel considers this appropriate).

4.2.4. The Panel may if it wishes collect further information from any other person. If the Panel gathers new information, the Panel cannot rely upon this information in making their decision unless the Panel first provides the information to the Member and gives a reasonable opportunity to him or her to respond to that information. This is to ensure natural justice is provided to the Member.

4.2.5. The Panel may decide:

- a. to uphold the Management Committee's decision to require the Member to undertake remedial action or to suspend or terminate the Member's membership of the Association (as applicable); or
- b. to substitute a different decision for that made by the Management Committee.



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4.2.6. The Panel must promptly notify the Member and the Management Committee in writing of their decision in relation to the matters appealed, giving reasons for their decision. A Panel decision is final.

4.2.7. Once a Panel has determined an appeal, or time has elapsed within which an appeal can be sought, the Management Committee may record in a suspensions and terminations register the details of the person who has been suspended and terminated. This register may be available to other associations that are FCA members.



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REPRESENTATION POLICY

Purpose

This policy establishes the procedures for the appointment of representatives, and the standard of conduct required by FCAQ members when they represent FCAQ.

Policy

Representatives must be authorised by the Committee to represent FCAQ, and fully declare any conflicts of interest beforehand. Approved representatives must put the interests of FCAQ and its members above their own interests, and those of their employer.

Procedure

- At the Annual General Meeting, members will be invited to vote on all current representative positions.
- The Management committee will appoint representatives to any casual vacancies that arise throughout the year.
- Representatives shall
 - Act in accordance with the FCA Code of Ethics
 - Act within the role and directions given by the Committee
 - Report back to the committee on all significant representative activities and outcomes.
- The Management Committee reserves the right to withdraw a nomination and appoint a new representative where it believes:
 - the role would benefit from a change of representative or
 - the representative has not adequately
 - reported back to the Committee and/or
 - represented the views of FCAQ and its members.

Representatives of FCAQ

1. FCA Board representative:

The FCAQ representative on the FCA Board, the person shall be

- an Accredited member of FCAQ and
- a member of the FCAQ Management Committee and
- not be the president of the FCAQ (who already represents FCAQ to FCA).

2. Other Boards and Panels:

The FCAQ is sometimes invited to nominate a member for an advisory board or panel. If the person will be representing the FCAQ, preference will be given to a person who is:

- an Accredited member of FCAQ and
- a member of the FCAQ Management Committee



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If no accredited member from the Management Committee is available to undertake the role, the Management Committee may:

- invite a suitable member directly or
- ask for expressions of interest from members.