

Draft #1

**NATIONAL ASSOCIATION OF PEOPLE
LIVING WITH HIV/AIDS**

GUIDELINES

Amended 1 November 2001

SECTION 1

1 THE ROLE OF NAPWA

The role of the National Association of People Living With HIV/AIDS Incorporated (NAPWA) is:

- (1) To advance the human rights and dignity of people with HIV/AIDS, including their right to participate in the Australian community without discrimination and their right to comprehensive and appropriate treatment, care, support and education;
- (2) To advocate on national issues concerning people with HIV/AIDS;
- (3) To assist people affected by HIV/AIDS, including by the provision of material, emotional and social support;
- (4) To encourage, assist, monitor and promote medical and scientific research into the causes, prevention and cure of HIV/AIDS; and
- (5) In furtherance of the above objects to formulate policies on these matters, and:
 - (a) To formulate policies for its members on matters concerning HIV/AIDS at a national and international level;
 - (b) To represent the community based organisation which are its members on all matters concerning HIV/AIDS at a national and international level; and
 - (c) To collect and assess information and resources for distribution to its members.
- (6) To employ staff as required to:
 - (a) Fulfill NAPWA's national role; and
 - (b) To facilitate objectives (1) to (5) above – provided that where a program or project is capable of being carried out by one of NAPWA's member organisations, NAPWA will endeavour to provide funding for the local employment of staff or that project or program.

SECTION 2

(1) EXECUTIVE

- (i) **Role and Function:** The role of the Executive is to manage the affairs of NAPWA between general meetings of NAPWA (rule 16).
- (ii) **Membership:** The Executive's membership is set by rule 17, and comprises the following:
- NAPWA Office Bearers: President, Vice-President and 9 Policy Spokespersons, 1 State and Territory Liaison Officer
 - Any Special Executive members of NAPWA appointed by the Representatives of the Ordinary Members of the Association as per rule 4.4 subject to Rule 11.
- (iii) **Minutes:** The NAPWA Executive Officer attends Executive and meetings of the Representatives of the Ordinary Members of the Association in an ex officio capacity and is responsible for taking minutes of meetings. The minutes of Executive meetings shall be circulated:
- To each NAPWA representative of the Ordinary Members of the Association; and
 - To NAPWA office bearers, as soon as practicable after each Executive meeting.
- (iv) **Calling of Meetings:** Can be called by either the President, Vice-President or 2 Policy Spokespersons or Special Executive Members (rule 18). As a general rule, meetings of the Executive shall be held each month by teleconference.
- (v) **Quorum and Voting:** Any 5 office bearers or Special Executive Members constitute a quorum. Each Executive member may vote, with each having 1 vote. If the votes are equal on any question the motion shall be declared lost (rule 18).
- (vi) **Emergency Decisions:** There may be circumstances where a decision must be taken quickly, where there is no clear NAPWA policy to indicate a particular course of action, and where it is impractical to convene an Executive meeting.

In these unusual circumstances, the President or Vice-President shall determine the course of action and may involve such other persons as they consider have particular skills and experience to help resolve the problem. Any decision taken in emergency circumstances shall be ratified at the next meeting of the Executive.

- (vii) **Overturing Decisions of the Executive:** If each representative from at least 3 Ordinary member organisations object to a particular decision of the Executive and notify the Vice-President or the Executive Officer of their disagreement, then the Vice-President shall immediately organize an emergency ballot (under rule 13) to be taken of all Representatives of the Ordinary Members of the Association determine whether or not to confirm the decision of the Executive.

(2) OFFICE BEARERS – ELECTION

- (i) **Eligibility:** To be eligible for election to the position of NAPWA office bearer a person must be a positive member of a State or Territory PLWHA/HIV organisation recognised by NAPWA.
- (ii) **Nominations:** Shall be in writing advised by post, by hand or by fax addressed to the Returning Officer at the NAPWA office and must state the names of two persons as nominators (who must also be members of a State or Territory PLWHA/HIV organisation recognised by NAPWA). Nominations should be accompanied by a personal profile written by the person being nominated, not exceeding 2 pages in length.
- (iii) **Calling of Nominations:** A notice calling for nominations for election as NAPWA office bearers shall be sent at the same time, or prior to the notice of the annual general meeting (21 days before the AGM).
- (iv) **Close of Nominations:** Nominations shall close at or prior to 5pm on the 5th day before the date of the annual general meeting.
- (v) **Returning Officer:** The Executive shall appoint a person to be returning officer for the election of office bearers.
- (vi) **Election:** Office bearers are elected by secret ballot conducted at or prior to the annual general meeting (by vote of the Representatives of the Ordinary Members of the Association) and those elected serve until the conclusion of the next annual general meeting (rule 17).
- (vii) **Casual Vacancies:** Are filled by vote of the Representatives of the Ordinary Members of the Association (rule 17). The process for calling of nominations to fill a casual vacancy shall be as for the election of office bearers at an annual general meeting. When nominations have closed, a ballot of representatives shall be conducted by post, in accordance with rule 13 (2).

- (viii) **Resignation as Representative of an Ordinary Member of the Association:** Any office bearer who, at the time of his/her election to office is also currently serving as a representative of an Ordinary member shall immediately resign their representative position.

(3) **OFFICE BEARERS – DUTIES AND RESPONSIBILITIES**

- (i) **Duty Statement:** Shall be agreed to by the meeting of the Representatives of the Ordinary Members of the Association. Minor re-allocations or variations of duties and responsibilities of office bearers may be agreed to by the Executive, but in the event of any office bearer objecting, the matter shall be resolved by the Representatives of the Ordinary Members of the Association.
- (ii) **President**
The duties and responsibilities of this office bearer shall be –
- To be the principle Office Bearer of NAPWA.
 - To be the delegate to the AFAO Executive.
 - To be responsible for the overall public relations effort of NAPWA including joint responsibility with the Vice-President for the negotiation of funding.
 - To represent NAPWA on any multi disciplinary committee, or at any meeting in which the focus of activities overlaps several jurisdictions of Policy Spokespersons (in this case relevant Policy Spokespersons would be expected to provide briefing papers).
 - To ensure that the Executive in all its deliberations recognize the need of marginalised groups including ATSI and NESB communities.
 - To be responsible for the supervision and support for the Executive Officer or other NAPWA staff, and quality control of all correspondence.
- (iii) **Vice-President (including Secretary/Treasurer)**
The duties and responsibilities of this office bearer shall be –
- To be responsible for publishing meeting dates and convening meetings of the Representatives of the Ordinary Members of the Association and Executive.
 - To be responsible for overseeing the administrative and financial management of NAPWA, including joint responsibility for funding negotiations and responsibility for fundraising.
 - To be responsible for circulation of Agenda papers, reports and minutes of all meetings in accordance with the rules.
 - To temporarily carry out the responsibilities of the President if that Officer is absent or unable to perform his/her duties for any reason. (NB It is expected that many of the above duties would be performed by the Executive Officer and secretariat staff, however responsibility

for these actions rests with the Vice-President.)

(iv) **Policy Spokespersons**

The duties and responsibilities of each policy Spokesperson shall be –

- To be the main spokesperson for NAPWA in their designated area of responsibility, including:
 - * Development of relevant policy in the policy area. This may require the development of a small working group of Representatives of the Ordinary Members of the Association members or other PLWHAs outside the Executive.
 - * NAPWA’s media and public relations response in the Policy Area including appropriate press releases or external correspondence which must be issued via the Communications Officer.
- To represent NAPWA on all relevant bodies and committees in the Policy Area. Where this would create an unacceptable burden for any one person, or the Policy Spokesperson wishes not to be a delegate for any reason, the Policy Spokesperson should advise the Executive of the decision, who will then, in conjunction with the relevant Policy Spokesperson select an alternative delegate. In this case the Policy Spokesperson would remain responsible to the Executive for the delegated area and act as mentor and supervisor to the delegate.
- To provide regular/written and/or verbal reports to the Executive of progress in their Policy Area and to respond to any votes of the Executive to further investigate or act on any concern falling within their area.
- To work in conjunction with the Executive Officer or other NAPWA staff to ensure that the Executive and Representatives of the Ordinary Members of the Association are regularly consulted and informed about the proposed actions, policies, directions in the Policy Area.

The 8 key policy Spokesperson Areas shall be –

- **Clinical Trials and Treatments**
Including (but not limited to) traditional and complimentary medicine, trial protocols, drug access, CHATN.
- **Legal Issues**
Including (but not limited to) discrimination, euthanasia, IGCA Recommendations, prisons, superannuation.
- **Care and Support**
Including (but not limited to) housing, medical services, Casemix implementation, Disabled Peoples International, Social Security, Employment, access to Educational Institutions (TAFES) etc.
- **Women**
Including (but not limited to) women’s services, reproductive rights, education, access to treatments and trials. (It is envisaged that this position may need to link in closely with other Policy Spokespersons.)

- **Positive Education**
Positive Sexuality, Health Monitoring and Maintenance, Commonwealth MWHSWM project, NESB, Social Research, development of state PLWHA organisations' training programs.
 - **International**
Including (but not limited to) Australia's PLWHA international position, liaison with groups to facilitate NAPWA involvement and support where required.
 - **Indigenous (x 2)**
1 male and 1 female to actively reflect both cultural appropriateness and sensitivity. Including (but not limited to) aboriginal services, education, access to information, treatments and trials, as well as other services. (It is envisaged that this position may need to link in closely with other Policy Spokespersons.)
 - **State and Territory Liaison**
To be responsible for promoting networking and information exchange among NAPWA members; for fostering good relations between NAPWA and its members; and for ensuring members are well informed about the activities of NAPWA.
To be responsible for capacity building and skills of the State PLWHA Organisations.
- (v) **Chairing of Meetings**
The Executive shall decide which of their members shall chair meetings of the Executive.
- (vi) **Position of Secretary**
The Vice President shall be responsible for carrying out the duties normally assigned to the Secretary under the Associations Incorporation Act, unless the Representatives of the Ordinary Members of the Association or Executive decide otherwise.
- (vii) **Position of Treasurer**
The Vice President shall be responsible for carrying out the duties normally assigned to the Treasurer under the Association Incorporation Act, unless the Representatives of the Ordinary Members of the Association or Executive decide otherwise.
- (viii) **Annual Leave for Office Bearers**
All office bearers are expected to allot 4 weeks per year during which they are unavailable for NAPWA business. These periods of leave should be negotiated with other office bearers to ensure sufficient capacity within the organization to continue the work of the Association.

SECTION 3

(1) **DELEGATES, SPECIAL MEMBERS, OFFICE BEARERS & OTHER REPRESENTATIVES**

(i) Selection of NAPWA Office Bearers: is determined by vote of the Representatives of the Ordinary Members of the Association at or prior to the AGM or by Emergency Ballot as required. Appointment of Special members will be congruent with Rule 4.4 and subject to Rule 11.8.

(ii) **Office Bearers should:**

- (a) Have a sound knowledge of the working of NAPWA;
- (b) Have a sound knowledge of HIV/AIDS and related policy issues, particularly in issues relating to people with HIV/AIDS;
- (c) Have interest and expertise in the management of community organisations;
- (d) Have negotiating experience;
- (e) Be available to report back to NAPWA and Australian PLWHA organisations on conference proceedings, and provide a detailed written report to NAPWA; and
- (f) Have good communication skills.

(iii) **Delegates to Conferences and Committees should:**

- (a) Have a detailed knowledge of NAPWA and Australian PLWHA organisations;
- (b) Have a sound knowledge of national and international HIV/AIDS policy issues;
- (c) Have a good communication skills, both orally and in writing;
- (d) Be available to report back to NAPWA and Australian PLWHA organisations on conference proceedings, and provide a detailed written report to NAPWA; and
- (e) Have specialist knowledge that the conference may require.

(iv) Responsibilities of Delegates to Conferences, Committees and meetings

Elected delegates attending Conferences Meetings or Committees on behalf of NAPWA shall be responsible to:

- (a) Consult with the NAPWA Policy Spokesperson prior to the meeting regarding the key issues for discussion;
- (b) Provide a written report following the event to the NAPWA Policy Spokesperson for inclusion in the agenda papers for the Executive;
- (c) Consult with the relevant Policy Spokesperson between meetings as issues arise;
- (d) Consult with the NAPWA Communications Officer or relevant representatives in between meetings, as particular issues arise; and
- (e) Liaise extensively with the other NAPWA representatives, when there is more than one representative on the HIV/AIDS committees, reference groups, etc.

SECTION 4

(1) POLICY DEVELOPMENT

Policy may be developed by the NAPWA Committee, Executive, or at a NAPWA General meeting.

To assist in the development of policy, NAPWA may, from time to time, establish working groups.

(i) Working Groups

Working Groups may be established by the Representatives of the Ordinary Members of the Association in general meeting or Executive to advise the organisation on policy and program issues.

Working Groups may make recommendations within their terms of reference. Recommendations shall be considered, approved or rejected by the NAPWA Executive or Representatives of the Ordinary Members of the Association. Recommendations shall be forwarded to the Representatives of the Ordinary Members of the Association or Executive through the Executive Officer, to

permit relevant NAPWA staff the opportunity to comment on recommendations.

(ii) Fixed Term Working Groups

The Representatives of the Ordinary Members of the Association or Executive may establish fixed term Working Groups to advise on particular issues. These working groups shall be dissolved when the term of their operation expires.

(iii) Terms of Reference

- (a) The Executive or Representatives of the Ordinary Members of the Association shall determine terms of reference for fixed term Working Groups.
- (b) A copy of the terms of reference shall be provided to all NAPWA Executive Members and Representatives of the Ordinary Members of the Association.

(iv) Membership of Working Groups

- (a) Membership of Working Groups shall be on the basis of the skills and experience individuals can bring to Working Groups, rather than on a basis of representation of organisations and/or states and territories.
- (b) Membership of Working Groups shall be open to Representatives of the Ordinary Members of the Association, NAPWA special members, NAPWA staff and individuals with expertise outside NAPWA.
- (c) Each Working Group shall comprise five members, unless otherwise determined by the Executive or Representatives of the Ordinary Members of the Association.
- (d) The relevant Policy Spokesperson shall ex officio be a member of any relevant Working Group.

(v) Nominations for Working Group membership

The Executive Officer shall call for nominations for membership of Working Groups as soon as possible after the Working Group is established. In the event that more nominations are received than places exist on a Working Group, then a ballot of the establishing body (Executive or Representatives of the Ordinary Members of the Association) shall be held to determine membership.

(vi) Casual Vacancies

The Executive shall fill casual vacancies on Working Groups.

(vii) Convenors

Working Group convenors shall be elected by the members of each Working Group.

The duties and responsibilities of Working Group convenors shall be to –

- (a) Convene and chair Working Group meetings;
- (b) Ensure that the decisions and recommendations of Working Group meetings are properly recorded and conveyed to the Representatives of the Ordinary Members of the Association or Executive, through the Executive Officer;
- (c) Prepare a report for each meeting of the NAPWA Executive; and
- (d) Recommend to the Executive changes to membership or co-options.

Convenors shall, wherever possible, send drafts of policies being developed by Working Groups to the NAPWA office, so that they can be included in mailouts to NAPWA members. This will encourage greater involvement of NAPWA members in policy development.

(viii) Secretarial assistance for Working Groups

Due to limitations on NAPWA resources, it is not always possible to provide secretarial assistance to all Working Groups.

The extent of secretarial assistance for Working Groups shall be determined by the Executive.

SECTION 5

(1) MEDIA RELATIONS

- (i) The President shall be the main spokesperson for NAPWA, with responsibility for overseeing NAPWA's public image. Policy Spokespersons for each area are authorized to generate media comment in their area of policy, provided that such policy has been agreed by the NAPWA Executive in advance. All external

press releases and correspondence must pass via the Executive Officer.

- (ii) Media comment and statements shall not conflict with NAPWA policy and/or its role and objectives.
- (iii) In the absence of clear NAPWA policy, media comment should not be given until a policy is determined by the Executive or Representatives of the Ordinary Members of the Association. Where comment is required to be given urgently to the media, the President, Vice President and the relevant Policy Spokesperson shall consult regarding the response to be given by NAPWA.

SECTION 6

(1) NAPWA STAFF

- (i) **Terms and Conditions:** The terms and conditions of employment of NAPWA staff shall (unless otherwise determined by the Executive or Representatives of the Ordinary Members of the Association following consultation with the employee) be those determined for employees of AFAO.
- (ii) **Communication with Staff:** NAPWA staff are responsible to the Executive through the Vice President. Wherever possible NAPWA staff should attempt to prioritise their time according to prioritised directions of the Executive as agreed by the monthly teleconference, however where a conflict arises, the dispute will be resolved by the Vice President.

SECTION 7

(1) MEMBERS OF NAPWA

In the event of a dispute between NAPWA and one of the members of NAPWA, or between NAPWA and other AIDS organisations, the Vice President shall request a meeting with the Chairperson of that organisation to try and resolve the dispute.

If an agreement for resolution of a dispute is reached it shall first be ratified by the NAPWA Executive before coming into effect. In the event that an agreement to settle a dispute cannot be reached, the matter shall be referred to a meeting of the Representatives of the Ordinary Members of the Association for consideration.

SECTION 8

(1) FINANCE

- (i)** The Vice President is responsible for overseeing the administrative and financial management of NAPWA.
- (ii)** All payments from NAPWA funds shall be ratified by the Executive each month.
- (iii)** NAPWA staff members are empowered to spend up to \$200 on items not previously approved through budget allocations or other decisions of the NAPWA Executive. These allocations shall be ratified by the Executive at its next meeting.
- (iv)** NAPWA staff members are empowered to spend up to \$1,000 on items in accordance with previously approved budget allocations or Executive decisions.
- (v)** All requests in excess of \$500 require the prior approval of the Executive.
- (vi)** The financial procedures for AFAO shall be followed except where otherwise determined by the NAPWA Executive or Representatives of the Ordinary Members of the Association.
- (vii)**
 - a. Members of the Executive or Representatives of the Ordinary Members of the Association will (finances permitting) be eligible for reimbursement of expenses as set out in the Expense reimbursement policy listed as Attachment A.
 - b. The Executive may alter the amounts listed in the Reimbursement Policy from time to time, however suggested changes will be communicated immediately to the Representatives of the Ordinary Members of the Association, and not come into effect for 30 days from the time of such announcement.

ATTACHMENT A

NAPWA EXPENSE REIMBURSEMENT POLICY

POLICY STATEMENT

No person representing NAPWA should be left out of pocket for carrying out the work of the organisation in accordance with their agreed authority. To ensure this does not occur, the following statement sets out the expenses that can reasonably be met by NAPWA given its financial position and ability to reimburse reasonable expenses

(1) HAVE SOMEONE ELSE PAY

Wherever possible a NAPWA representative should investigate if any costs can be legitimately met by another organisation. Often airfares, accommodation, taxis, living away from home allowances are available from host organisations. **WHEREVER POSSIBLE** it is NAPWA policy that these external funding sources be fully utilized first before any NAPWA expenses are incurred.

In the event that:

- (i) Attendance, or an expense incurred on behalf of NAPWA has been agreed by the Executive in advance, **AND**
- (ii) Funds from other sources are not available to meet the costs, **AND**
- (iii) Adequate documentation/receipts are provided (as described below)

NAPWA will:

- (i) Reimburse incurred expenses, **OR**
- (ii) Arrange for payment of an invoice, **OR**
- (iii) Arrange payment in advance

Of the following expenses only:

(2) AIRFARES

Airfares to attend a meeting in which a representative is the agreed NAPWA delegate will be paid in advance through NAPWA's head office accounting providing:

- (i) All other avenues for payment have been explored and failed;
- (ii) The NAPWA Executive have agreed in advance that attendance is essential to furtherance of NAPWA's goals and objectives. (In the event of an emergency,

agreement should be sought from any 3 Executive members including either the President or Vice President.);

- (iii) The cheapest airfare has been obtained. NAPWA policy is that airfares must be booked as soon as possible after agreement to obtained advance purchase airfares;
- (iv) Airfares wherever possible should be booked to avoid costly overnight stays, however where travel times or meeting starting or finishing times would place and unreasonable strain on the representative, overnight stays are permitted.

(3) TAXIS

Taxi vouchers will be issued on request by the Communications Officer or expenses may be claimed for travel:

- (i) To and from airports to attend an agreed meeting for which the applicant fills a position dedicated to NAPWA (where possible private transport arrangements should be encouraged);
- (ii) To and from home or airport to a meeting venue (where possible the host organisation should be encouraged to meet this cost);
- (iii) Travel on NAPWA only business when away from home;
- (iv) Local (home town) travel where an official invitation has been extended to NAPWA to attend a meeting, and an Executive member has been nominated by the Executive to represent the organisation. NB: NAPWA cannot reimburse the costs of local public speaking engagements for unsanctioned public speaking engagements.

(4) PAYMENT FOR SERVICES

All NAPWA Executive positions and duties are voluntary and no payment can be made for provision of any service or function (except expense reimbursement as outlined in this policy) whilst carrying out delegated duties.

(5) LIVING AWAY FROM HOME ALLOWANCE

Interstate or Intrastate travel requiring a NAPWA delegate to be absent from their home will attract a living away from home allowance in line with the Reasonable Allowances published by the Australian Taxation office each year.

This allowance is payable only in the event that meals are not included in meeting arrangement or provided during air travel. Receipts are not required.

(6) ACCOMMODATION

Interstate or Intrastate travel on agreed NAPWA business which results in a representative being away overnight/s will be:

- (i) Reimbursed by cheque (if already paid by the representative); or
- (ii) Arranged to be charged to NAPWA's head office account.

Choice of hotel must be agreed in advance and generally will match the hotel used by AFAO in that location from time to time. Wherever possible NAPWA delegates should try to organise private accommodation with friends when traveling.

(7) TELEPHONE, FAX, ADMINISTRATION EXPENSES

Administration expenses associated with conducting NAPWA business unable to be met through some other source, will be reimbursed on provision of receipts and/or photocopies of accounts. In all cases to ensure maximum efficiency, multiple communications to the Executive or Representatives of the Ordinary Members of the Association should be distributed by The NAPWA's Communications Officer position.

- (i) Phone and fax bills **MUST** have the lines being claimed highlighted, and the name of the person being contacted written against it. Highlighted costs to unspecified destinations **WILL NOT** be paid.
- (ii) NAPWA is unable to meet the costs of business transacted on behalf of local PLWHA organisations, AIDS Councils or other affiliated organisation. Requests for reimbursement of administration expensed must be accompanied by an explanation of the NAPWA related business for which they were incurred.

(8) OTHER

As a general principle NAPWA is unable to meet any other costs, however claims for costs which have arguable been incurred specifically in furthering the aims and objectives of NAPWA will be considered on a case by case basis. Appropriate supporting documentation, receipts, proof will be required.

NB: All claims for expenses must be forwarded on a NAPWA Expense Claim (still to be designed).