

NSAA Ethics Committee and Compliance Procedures

This paper provides details on the National Speakers Association of Australia's Ethics Committee and Compliance Procedures. These notes should be read in conjunction with the NSAA Code of Conduct.

It is the personal responsibility of every affiliate and accredited member of the NSAA to familiarise themselves with the Code of Conduct, this information and the procedures for dealing with a breach of the NSAA Code, and as such, on joining the NSAA, confirmation by the joining member that they have read, understood and agree to abide by our Code of Conduct is required.

1. THE ETHICS COMMITTEE

1.1. Selection of Ethics Committee (Criteria)

The Ethics Committee shall comprise of the NSAA Board designated Ethics Portfolio Holder (who may hold or appoint the position of Ethics Committee Chair), the current National Senior Vice President, Immediate Past National President, one accredited professional member and one certified speaking professional.

The accredited professional member and certified speaking member will be invited by the NSAA National Board to sit on the committee.

The criteria for selection of the two accredited members shall include consideration of the following:

- An academic or demonstrated expertise and understanding in the application of applied ethics to professional and business situations
- Recognised within the membership as a role model of the principles of the Code of Conduct
- Has a demonstrated and recognised understanding of the expected operational criteria involved in professional speaking relationships, including clients, meeting planners, venue owner/operators, bureaus and other speakers
- Has a demonstrated working knowledge of the copyright laws as appropriate to the speaking profession

1.2. Complaints Against Standing Members of the Ethics Committee

In the event that a complaint is brought against a member of the Committee (including the Ethics committee Chair), then that member shall stand aside for the duration of the investigation and determination of that complaint, and such vacancy shall be filled by the preceding Immediate Past National President.

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1.3. Guiding Principles of Process

1.3.1. Core Approach

The ethics complaints process shall ensure as far as practicable, that the parties to a complaint shall be dealt with fairly and in confidence, and in accordance with the Process for Dealing with Breaches of the Code.

The intent of the disciplinary process has been designed to be constructive and educational not punitive, unless necessary by the fact of no correction or restitution being made or blatant disregard.

1.3.2. Basis for Complaints

Complaints can only be made regarding breaches of the NSAA Code of Conduct. The specific clause of the Code of Conduct must be stated in the complaint. Complaints of a general and unspecific nature will not be considered.

1.3.3. Convening the Committee

The committee convenes by notification from the committee Chair that a complaint has been lodged with the National Secretariat, in accordance with the standard procedures for lodging a complaint against a member (or associate) in breach of the Code.

1.3.4. Agreement and Action Process

In the event that unanimous agreement cannot be reached by the Committee about a complaint and appropriate disciplinary action, then the Committee Chair shall report its considerations to the National President for adjudication.

All recommendations of the committee are enacted on, only after final approval by the National President.

2. Process and Procedures:

The following provides details of the process and procedures for dealing with complaints against members for alleged breaches of the National Speakers Association of Australia's Code of Conduct

- 2.1. A complaint can be made by any associate or member of the association, chapter committee, national board or external person or agency.

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- 2.2. Any complaint must be lodged in writing to the National Secretariat, and clearly marked "For The Attention of The Ethics Committee". Verbal and/or email complaints will not be considered. Anonymous complaints will not be considered.
- 2.3. Complaints must clearly state the clause or clauses of the NSAA Code of Conduct which it is alleged have been breached.
- 2.4. The envelope will be opened by the national secretariat and will be immediately forwarded to the Chair of the Ethics Committee, unless the Chair of the Ethics Committee is the member about whom the complaint has been made. In which case, the national secretariat will forward the complaint to the National President for action. The National President then assumes all role and responsibilities as detailed below for that of the Chair of the Ethics Committee .
- 2.5. Upon receipt of the complaint, the chair of the Ethics Committee will advise the National President of the name of the member about whom the complaint has been made, the clause of the Code of Conduct which it is alleged has been breached, but not the substance of the complaint. The National President will in turn advise the relevant Chapter President of the same information.
- 2.5.1. In the event that a complaint is brought against the National President the Ethics Committee will advise the Immediate Past National President of the complaint, the clause of the Code of Conduct which it is alleged has been breached, but not the substance of the complaint.
- 2.6. The Chair of the Ethics Committee will, upon receipt of a complaint that meets the above criteria/process, will forward a copy of the complaint to the other members of the Ethics Committee. Note: No contact is to be made at this stage with the speaker allegedly in breach of the code by the Chair, by any member of the committee, National or Chapter President.
- 2.7. The Chair of Ethics Committee will contact the complainant and ascertain whether an attempt has been made to resolve the issue prior to the complaint being formally lodged.
- 2.8. If the complainant wishes to proceed with the complaint then the Chair of the committee will call the speaker allegedly in breach of the code, by phone, and advise of the complaint, and send a copy of the complaint to that member and ask for a written response within (two) weeks of the date of the letter. Note: The name of the complainant will not be revealed in this letter.
- 2.9. In the interests of natural justice, prior to a response being received, the Chair of the Committee will make no contact with any person except the National President and relevant Chapter President, in relation to the complaint or the people involved.

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- 2.10. When a response to the complaint has been received, a copy will be sent to the other members of the Ethics Committee. No other person will at this stage have access to any written material relating to the complaint and the matter will remain confidential.
- 2.11. Within two weeks or as soon as practicable, the Committee shall meet in person or by teleconference to discuss the complaint and response if received. At this meeting, the committee may delegate to one or more of its members the task of making direct inquiries with either of the parties or other people in order to ascertain the accuracy and credibility of claims made by either of the parties to the complaint.
- 2.12. Within one month or as soon as practicable thereafter but not later than, the Ethics Committee will again meet to consider possible courses of action.
- 2.13. If the committee is satisfied that a decision can be made at this point then it will forward its recommendation to the National President for ratification. Once ratified, the committee will, via the National Secretariat, forward the recommendation to the member and offer him/her the opportunity to accept the decision or meet with the Committee and where appropriate, the complainant.
- 2.14. The National Secretary will also advise the complainant of the decision and course of action recommended.
- Note: Courses of Action recommended by the committee may include (but are not limited to) the following:
- Mediation between the complainant and the member in alleged breach of the Code
 - An official “warning” with appropriate recommendations of actions to remedy the breach
 - Cancellation of membership with NSAA and cessation of all benefits associated with membership
- 2.15. When the matter is finalised, the Ethics Committee will prepare a written summary of the complaint, in objective terms and without identification of any party by name or chapter, either direct or implied, for publication in chapter newsletters.
- 2.16. Chapters will publish the summary referred to in paragraph 2.15 without editing of any kind in their next newsletter to raise awareness among the members of the nature of ethics complaints and the process of dealing with them.
- 2.17. The recommendations of the Ethics Committee, once ratified by the National President, shall be final and no appeal permitted otherwise than would be available in accordance with applicable law.

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3. Changes to these compliance procedures

This process is subject to change by the National Board and cannot be varied in any way by the Ethics Committee or any other person or group without the approval of the National Board.

If a change is made by the National Board during the currency of a complaint, then no member involved in that complaint process can be penalised or in any way suffer detriment as a result of that change which would not otherwise have occurred.

Changes will not apply retrospectively.

