

The Labour Standards Centre of Excellence assists organisations to facilitate compliance with Australian workplace laws through the provision of supply chain governance, audit and advisory services. In collaboration with FIA, it is making this example template resource available for the information of FIA Members.

Members are advised to seek independent advice to ensure any use of or reliance on this resource is appropriate to their specific requirements.

Fundraising Supplier Conduct Policy

[Organisation name] is committed to the lawful and socially responsible engagement of human labour in its supply chains, and we expect the same standards of our suppliers of fundraising services (Fundraising Suppliers).¹ As part of its fundraising supply chain governance strategy, [Organisation name] has prepared this Fundraising Supplier Conduct Policy (Policy).

[Organisation name] views its Fundraising Suppliers as partners and cares about the way they do business when providing their services. This Policy sets out [Organisation name]'s expectations in the areas of: (i) labour and human rights; (ii) health and safety; (iii) integrity, ethics and conduct; and (iv) corporate and supply chain governance.

Fundraising Suppliers to [Organisation name] are advised to review the Policy together with [Organisation name]'s Fundraising Supplier Responsibility Standards Statement (Standards Statement) and ensure that relevant areas of their business and supply chain meet [Organisation name]'s expectations.

Application of this Policy

[Organisation name] seeks to work with its Fundraising Suppliers to meet and exceed minimum expectations as outlined in this Policy and continuously strives to improve the standard of its fundraiser engagement practices.

Where the Policy refers to workers, it includes employees, contractors, agency and temporary staff of the Fundraising Supplier and its related entities. Where the Policy refers to the law it means the laws in the jurisdiction that apply where the services are performed.

Fundamental to this Policy is an expectation that all Fundraising Suppliers operate in full compliance with all laws, rules and regulations of the jurisdictions in which they do business. The expectations outlined in the Policy are not intended to supersede or alter the Fundraising Supplier's regulatory and contractual obligations. They supplement existing procurement policies and processes adopted and/or required by [Organisation name].

[Organisation name] expects all existing and new Fundraising Suppliers to commit to the Policy. Fundraising Suppliers should check their respective contracts and agreements as they may contain additional obligations or higher standards than those set out in this Policy.

[Organisation name] expects Fundraising Suppliers to communicate the Policy to their related entities and any suppliers and subcontractors who support them in supplying services to [Organisation name] to achieve whole-of-supply-chain understanding of, and compliance with, the Policy.

Reporting misconduct or unethical behaviour

If a Fundraising Supplier considers that it or another Supplier in its' supply chain has deviated from or breached their obligations under this Policy or the requirements set out in the Responsibility Standards Statement, it is expected to report the concern to [Organisation name]'s Fundraising Supply Chain Compliance Working Group within 24 hours of identifying the concern.

Corrective action process

Fundraising Suppliers are expected to self-assess their compliance with the Policy and Responsibility Standards Statement and take timely action to correct any deficiencies or breaches reported or identified by an audit, assessment, inspection, investigation or review. Suppliers are encouraged to raise any concerns, discuss and seek clarification accordingly to any elements of the Policy with [Organisation name]. If requested by [Organisation name], Fundraising Suppliers must provide evidence and confirmation of their compliance with the Policy including the provision of documents and records that support their compliance. Fundraising Suppliers are expected to support the [Organisation name] in reviewing compliance with the Policy.

¹ Fundraising Services means: the undertaking of organised, professional donor acquisition activities intended to secure charitable donations for [Organisation name] and which may be undertaken through channels including, but not limited to, face to face, telemarketing and direct mail.

1. LABOUR AND HUMAN RIGHTS



- 1.1 [Organisation name] believes that all workers in its fundraising supply chains deserve to be treated with dignity, respect and in a manner which complies with Commonwealth Workplace Laws.²
- 1.2 [Organisation name] acknowledges that some fundraisers may be vulnerable workers, taking into account factors such as their age, experience, and immigration status, and that it is particularly important to ensure such workers are made aware of their rights under Commonwealth Workplace Laws to mitigate against their risk of exploitation.
- 1.3 Fundraising Suppliers are expected to engage their workers lawfully and integrate appropriate labour and human rights policies and practices into their business and broader supply chains.

Anti-discrimination

- 1.4 Subject to applicable laws, Fundraising Suppliers are expected not to discriminate against any worker based on age, disability, ethnicity, gender, marital status, political affiliation, race, religion, sexual orientation, gender identity, union membership, or any other status protected by law, in hiring, employment or other worker engagement practices.

Anti-harassment

- 1.5 Fundraising Suppliers are expected to commit to a fundraiser engagement environment free from bullying, harassment, victimisation and abuse. Fundraising Suppliers are expected not to bully workers or threaten workers with, or subject them to, unlawful or inhumane treatment. This includes, but is not limited to, abuse and harassment which can be verbal, physical, sexual or psychological.

Human rights

- 1.6 Fundraising Suppliers are expected to provide services in a manner consistent with any applicable human rights obligations.

Prevention of involuntary and underage labour

- 1.7 Fundraising Suppliers are expected to:
 - (a) ensure that all work is undertaken without coercion;
 - (b) not use any form of forced, bonded or indentured labour; and
 - (c) engage only workers who are the applicable minimum legal age.

All use of temporary and outsourced labour should be within the limits of the law

- 1.8 Fundraising Suppliers are therefore expected to:
 - (a) use all reasonable endeavours to ensure that any third-party subcontractors including labour services providers it uses undertake to comply with Commonwealth Workplace Laws as well as the provisions of this Policy;
 - (b) undertake that they do not and will not attempt to disguise an employment relationship as an independent contracting arrangement; and
 - (c) be responsible for the implementation of supply chain governance systems and processes to ensure fundraisers are lawfully engaged by the engaging entities within its supply chain/s, whether directly or through third-party organisations.

Working hours, wages and benefits

- 1.9 Fundraising Suppliers must:
 - (a) follow all applicable laws and regulations with respect to wages, working hours and workers' compensation insurance;
 - (b) ensure that all workers receive their legally mandated minimum wages, benefits, superannuation, leave entitlements and time off for legally recognised holidays;
 - (c) pay workers' wages as required under applicable laws in a timely manner and not be expected to use wage deductions as a disciplinary measure; and
 - (d) not misrepresent an employment relationship or a proposed employment relationship as an independent contracting arrangement.

Freedom of association and collective bargaining

- 1.10 Fundraising Suppliers are expected to freely allow workers to associate with others, form and join (or refrain from joining) industrial organisations or associations of their choice and bargain collectively, or engage in any lawful industrial activity without interference, discrimination, retaliation or harassment.

² Commonwealth Workplace Laws means: the Fair Work Act 2009 (Cth); the Fair Work (Transitional Provisions and Consequential Amendments) Act 2009 (Cth); the Fair Work Regulations 2009 (Cth); the Fair Work (Transitional Provisions and Consequential Amendments) Regulations 2009 (Cth); the Superannuation Act 1976 (Cth) and laws covering discrimination and bullying in employment or occupation including the *Age Discrimination Act 2004 (Cth)*, *Disability Discrimination Act 1992 (Cth)*, *Racial Discrimination Act 1975 (Cth)*, *Sex Discrimination Act 1984 (Cth)* and *Australian Human Rights Commission Act 1986 (Cth)*.

2. HEALTH AND SAFETY

- 2.1 Fundraising health, safety and well-being is important to [Organisation name]. Fundraising Suppliers are expected to provide a healthy and safe work environment for all fundraisers, and to integrate sound health and safety management practices into their businesses.

Workplace health and safety management

- 2.2 Fundraising Suppliers must comply with all applicable laws relating to workplace health and safety. Fundraising Suppliers are expected to:
- (a) manage occupational health and safety hazards, including those which are specific to the type of fundraising and where it is to be performed (e.g. face to face fundraising on road trips);
 - (b) provide workers with health and safety training at reasonable intervals and for which worker participation is documented; and
 - (c) consult with workers in relation to workplace health and safety risks, and the provision of information and training.



3. INTEGRITY, ETHICS AND CONDUCT



- 3.1 [Organisation name] expects high standards of ethical conduct and compliance with all applicable laws, including Commonwealth Workplace Laws. Suppliers are expected to be ethical in their business activities, including worker engagement practices.

Business integrity

- 3.2 Fundraising Suppliers are expected to comply with all anti-bribery, anticorruption and anti-money laundering laws. Suppliers must not engage in, either directly or indirectly, fraudulent, corrupt or collusive activities.

Record keeping and documentation

- 3.3 Fundraising Suppliers are expected to maintain adequate records that accurately record all financial transactions and information regarding its business activities, worker engagement and health and safety practices in accordance with applicable laws, policies and procedures. Disclosure of information is expected to be undertaken without falsification or misrepresentation.

Professional conduct

- 3.4 Fundraising Suppliers are expected to conduct themselves in a manner that is fair, professional and that will not bring the [Organisation name] into disrepute.

Confidentiality

- 3.5 Fundraising Suppliers must not improperly use any private, confidential or commercially sensitive information in its possession relating to or in connection with its dealings with [Organisation name].

4. CORPORATE AND SUPPLY CHAIN GOVERNANCE



4.1 Commitment to sound corporate management, supply chain governance, risk and corrective action systems, are key to a reliable fundraising supply chain for [Organisation name]. Fundraising Suppliers are expected to maintain sound processes to this effect.

Risk assessment and management

4.2 Fundraising Suppliers should develop and maintain a process to identify, manage and control relevant risks associated with their operations, including worker engagement practices. These include supply chain risks and risks relating to labour and human rights, health and safety, business ethics, and corporate governance.

Critical incident management

4.3 Fundraising Suppliers should:

- (a) identify and assess potential critical incident, emergency situations and business continuity risks; and
- (b) develop and implement emergency plans and response procedures that minimise harm to life, environment and property, while minimising disruption to business continuity.

Audits and assessments

4.4 To ensure compliance with this Policy and Commonwealth Workplace Laws, Suppliers are expected to:

- (a) perform periodic evaluations of their operations and the operations of their subcontractors; and
- (b) cooperate openly and honestly with any audit, assessment or review initiated by [Organisation name] or a regulator.