



Australian Government

BSBFNG405 Review and apply the constitution in an Aboriginal and Torres Strait Islander organisation

Release: 1

BSBFNG405 Review and apply the constitution in an Aboriginal and Torres Strait Islander organisation

Modification History

Release	Comments
Release 1	This version first released with the Business Services Training Package Version 8.0. Supersedes and is equivalent to BSBATSIL413 Review and apply the constitution.

Application

This unit describes the skills and knowledge required to ensure that the constitution of an Aboriginal and Torres Strait Islander organisation is relevant, that it is understood by staff, and that it meets the organisation's changing needs.

The unit applies to individuals who are board members, or in a governance role, and responsible for monitoring, guiding and undertaking decision-making activities of Aboriginal and Torres Strait Islander organisations.

No licensing, legislative or certification requirements apply to this unit at the time of publication.

Unit Sector

Technical Skills - Aboriginal and Torres Strait Islander Governance

Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
<i>Elements describe the essential outcomes.</i>	<i>Performance criteria describe the performance needed to demonstrate achievement of the element.</i>
1. Identify and review essential components of the constitution	1.1 Analyse organisation's constitution and confirm it is consistent with organisation's purpose and relevant law 1.2 Seek clarification of clauses from experts where required 1.3 Identify areas of activity of organisation not covered by constitution 1.4 Explain key clauses of constitution to community members as required

2. Apply the constitution in course of own activities	2.1 Follow constitutional provisions related to own role in organisation 2.2 Check policies and programs and confirm they comply with constitution 2.3 Amend constitution as required in consultation with members and according to required procedures and protocols and expectations of traditional lore 2.4 Confirm formal documentation of changes made is maintained
3. Make provision for constitutional amendment processes	3.1 Develop or follow organisational administrative procedures to formally document constitutional changes 3.2 Confirm processes for amending organisation's constitution 3.3 Adhere to required procedures and ensure amendments are communicated to committee and board members

Foundation Skills

This section describes those language, literacy, numeracy and employment skills that are essential to performance but not explicit in the performance criteria.

Skill	Description
Reading	- Interprets various texts to guide activities and decisions - Analyses and evaluates validity of information to identify gaps or inconsistencies between texts
Writing	Collates and compiles material using clear and detailed language to convey specific information, requirements and recommendations
Oral communication	- Participates in a variety of spoken exchanges using suitable tone, language and strategies to confirm or clarify understanding and adjusting personal communication style in response to values, beliefs and cultural expectations of others - Makes constructive suggestions when required - Elicits views and opinions of others by active listening and questioning
Self-management	- Adheres to legal and regulatory requirements relevant to own role, and draws attention to any issues that may affect the organisation as a whole - Follows accepted communication practices and protocols and meets expectations associated with own role
Planning and organising	Develops plans to manage relatively complex tasks with an awareness of how they may contribute to longer term operational strategic goals
Problem solving	- Makes a range of critical and non-critical decisions in relatively complex situations, taking a range of constraints into account - Addresses some unfamiliar problems of increasing complexity within

	scope of own role, identifying when to seek expertise of others
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Unit Mapping Information

Supersedes and is equivalent to BSBATSIL413 Review and apply the constitution.

Links

Companion Volume Implementation Guide is found on VETNet - -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=11ef6853-ceed-4ba7-9d87-4da407e23c10>

Assessment Requirements for BSBFNG405 Review and apply the constitution in an Aboriginal and Torres Strait Islander organisation

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Performance Evidence

The candidate must demonstrate the ability to complete the tasks outlined in the elements, performance criteria and foundation skills of this unit, including evidence of the ability to:

- on at least one occasion review the constitution of an Aboriginal and Torres Strait Islander organisation and identify key constitutional provisions applicable to own role
- apply at least two different key constitutional provisions to own role
- confirm that at least two board decisions follow an organisation's constitution
- on at least one occasion, contribute to amending the constitution of an Aboriginal and Torres Strait Islander organisation.

In the course of the above, the candidate must:

- communicate effectively with others to confirm that reviewed constitution meets legal requirements and expectations of traditional lore
- document constitutional amendments according to workplace policies and procedures.

Knowledge Evidence

The candidate must be able to demonstrate knowledge to complete the tasks outlined in the elements, performance criteria and foundation skills of this unit, including knowledge of:

- key elements of cultural context in which Aboriginal and Torres Strait Islander boards operate, including their role in upholding traditional and cultural values
- legislative and funding body requirements that can impact provisions of constitution
- key formats and content of constitutions for profit and non-profit Aboriginal and Torres Strait Islander organisations
- geographic, social, cultural, economic and political contexts in which particular organisations operate

- roles and responsibilities of a board member, including:
 - applying the constitution to day-to-day activities
 - amending the constitution
 - formal documentation procedures
- key elements of implementing provisions of constitution into practice, including:
 - elections
 - membership
 - conduct of meetings
 - reporting
- key sources of support that can provide advice on legality and practical operations of aspects of the constitution.

Assessment Conditions

Skills in this unit must be demonstrated in a workplace or simulated environment where the conditions are typical of those in a working environment in this industry.

This includes access to:

- an actual or simulated board
- sources of expert knowledge relevant to constitution
- examples of constitutions used by Aboriginal and Torres Strait Islander organisations.

Assessors of this unit must satisfy the requirements for assessors in applicable vocational education and training legislation, frameworks and/or standards.

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