



Australian Government

BSBFNG409 Comply with Aboriginal and Torres Strait Islander organisation director obligations

Release: 1

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Modification History

Release	Comments
Release 1	This version first released with the Business Services Training Package Version 8.0. Newly created unit.

Application

This unit describes the skills and knowledge required to comply with the obligations of a company director, while active as an executive or non-executive director of an Aboriginal and Torres Strait Islander organisation, in the oversight of the organisation's affairs.

The unit applies to individuals holding a company director role in an Aboriginal and Torres Strait Islander organisation.

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. Determine organisational obligations of company director	1.1 Identify core functions and structure of organisation according to its purpose, culture, mission, and values 1.2 Identify individual responsibilities of company directors 1.3 Identify broad organisational proceedings and proceed with any necessary associated duties
2. Identify legal obligations of company director	2.1 Identify difference between executive and non-executive director responsibilities and assess own role within organisation 2.2 Assess relevant director duties according to legislative requirements

	2.3 Comply with director duties and assist in operating organisation, consulting with stakeholders when required
3. Comply with legal requirements when carrying out director duties	3.1 Apply organisational legislative requirements in decisions made as director 3.2 Identify any potential non-compliance of decisions and director duties in organisation 3.3 Alert required personnel of real or potential non-compliance of other directors

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
Oral communication	Effectively participates in verbal exchanges to convey and clarify information with a range of stakeholders
Self-management	- Follows protocols and meets expectations associated with own role - Identifies nature and purpose of own role and associated responsibilities and how they contribute to the work of others in immediate work context - Takes responsibility for following policies, procedures and legislative requirements and for outcomes of routine decisions relating to own role
Problem-solving	Uses problem solving processes to identify, analyse and resolve issues that arise in course of own director duties

Unit Mapping Information

No equivalent unit. Newly created unit.

Links

Companion Volume Implementation Guide is found on VETNet - -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=11ef6853-ceed-4ba7-9d87-4da407e23c10>
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Assessment Requirements for BSBFNG409 Comply with Aboriginal and Torres Strait Islander organisation director obligations

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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:

- analyse two decisions and confirm that decisions comply with directors' obligations.

In the course of the above, the candidate must:

- comply with legislative requirements relevant to director obligations
- comply with organisational policies and procedures
- consider purpose, culture, mission, and values of Aboriginal and Torres Strait Islander organisation.

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 director obligations under relevant legislation governing Aboriginal and Torres Strait Islander organisation and non-Indigenous corporations, including those relating to:
 - care and diligence, including business judgement rule
 - good faith
 - relevant position duties
 - use of information
- roles and responsibilities of executive and non-executive directors
- penalties for non-compliance with directors' duties under Australian law, including:
 - criminal sanctions
 - civil sanctions
 - disqualification

- commercial consequences
- key legislative requirements under which organisation operates
- organisational policies and procedures related to complying with director obligations
- purpose, culture, mission, and values of Aboriginal and Torres Strait Islander organisation described in performance evidence.

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
- examples of documents relating to company director obligations
- legislative requirements relating to director obligations.

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