

# **FAAA Officers Code of Conduct**

Effective date: 3 September 2024

Submitted to: FAAA Board

Approval date  
Approved by  
Owner  
Version  
Previous approval date

3 September 2024  
FAAA Board  
Company Secretary  
11  
23 September 2021

# Table of Contents

<b>Application of this Code</b>	<b>1</b>
<b>Purpose of this Code</b>	<b>2</b>
<b>Outline of Principles and Protocols</b>	<b>3</b>
<b>Principle 1: Officers must act in good faith and in the best interest of the FAAA</b>	<b>4</b>
<b>Principle 2: Officers must act with honesty and integrity</b>	<b>7</b>
<b>Principle 3: Officers must act fairly and impartially</b>	<b>8</b>
<b>Principle 4: Officers must use information appropriately</b>	<b>9</b>
<b>Principle 5: Officers must exercise due care, diligence and skill</b>	<b>11</b>
<b>Principle 6: Officers must demonstrate leadership and stewardship</b>	<b>13</b>
<b>Principle 7: Officers must comply with this Code, the law and FAAA policies and procedures</b>	<b>14</b>
<b>Conflicts of Interest Protocol</b>	<b>15</b>
<b>Social Media Protocol</b>	<b>17</b>
<b>Complaints and Investigations Protocol</b>	<b>22</b>
<b>Acknowledgement by Officer</b>	<b>24</b>

---

# Application of this Code

This Code of Conduct (**Code**) of Financial Advice Association of Australia Limited (**FAAA**) applies to each person holding any of the following positions in FAAA:

1. directors;
2. company secretary;
3. chief executive officer; and
4. any other senior executive officer determined by the board of directors of FAAA (**Board**) from time to time,

(each an **Officer**).

# **Purpose of this Code**

## **Officers of professional association**

As a director or senior officer of a professional association that seeks to model professional behaviour and to protect the community from malpractice by its members, an Officer must also possess and maintain professional capability and personal qualities of a very high order.

## **Standards of behaviour**

The objective of this Code is to identify the ethical and professional standards of corporate and individual behaviour that are expected of Officers of the FAAA.

## **Guidance**

This Code also provides guidance to Officers to assist them in carrying out their duties and responsibilities in accordance with the standards of professional conduct that the FAAA expects of its Officers.

## **Not exhaustive statement of duties**

This Code is not an exhaustive statement of Officer obligations and duties. The principles were developed with the intention that they should sit comfortably and consistently with the many legal obligations that apply to Officers.

## **Benefit of Code**

The benefit of having this Code is that it articulates the FAAA's view of what the relevant standards are in a code of behaviour that stands outside the constantly changing legal and regulatory framework. Being a principles-based Code it obliges Officers to exercise their professional judgement whilst acting in the spirit of a set of rules.

## **Officer must read and sign Code**

Officers must familiarise themselves with the principles of the Code and commit to upholding them at all times by signing a copy of the Code on their appointment to the relevant office. Signing may be implemented through any physical or electronic means determined by the Board from time to time, including by incorporation into an employment or director agreement.

# Outline of Principles and Protocols

The ethical and professional standards of corporate and individual behaviour set out in this Code are organised by 7 principles and 3 protocols listed below:

## Principles

1. **Officers must act in good faith and in the best interest of the FAAA** (see page 4 onward)
2. **Officers must act with honesty and integrity** (see page 7 onward)
3. **Officers must act fairly and impartially** (see page 8 onward)
4. **Officers must use information appropriately** (see page 9 onward)
5. **Officers must exercise due care, diligence and skill** (see page 11 onward)
6. **Officers must demonstrate leadership and stewardship** (see page 13 onward)
7. **Officers must comply with this Code, the law and FAAA policies and procedures** (see page 14 onward)

## Protocols

1. **Conflicts of Interest Protocol** (see page 15 onward)
2. **Social Media Protocol** (see page 17 onward)
3. **Complaints and Investigations Protocol** (see page 22 onward)

# Principle 1:

## Officers must act in good faith and in the best interest of the FAAA

Officers must demonstrate accountability for their actions, accept responsibility for their decisions and act in a way which protects and does not damage the FAAA's interests, reputation or assets at all times. They should not place themselves in a position of conflict of interest nor engage in activities that will bring the FAAA into disrepute.

### WHAT THEY MUST DO:

1. Ensure that the responsibilities of the Board and each other Officer have been specified clearly, are properly understood and are competently discharged in the interests of the FAAA.
2. Exercise their authorities responsibly and within their limits set by the Board and in accordance with the FAAA's policies and procedures.
3. Avoid actual or perceived conflicts of interest.
4. Not to take improper advantage of the position of director to gain a personal advantage or cause detriment to the FAAA.
5. Be mindful that their conduct in all aspects of their life that reflect on their standing as a Board member or senior officer of the FAAA and the reputation of the FAAA.

### Notes:

#### Definition used below

'Associated Person' in relation to an Officer includes any spouse (including a de facto spouse), parent, child, brother or sister of the Officer or any company, corporation, partnership trust or other entity owned or controlled by the Officer or in which the Officer has a material personal interest within the meaning of the *Corporations Act 2001* (Cth).

#### Best interest of the FAAA

**Interests of FAAA.** In evaluating the interests of the FAAA, an Officer should take into account the objects of the FAAA, the interests of the members as a whole, but where appropriate or required by law should take into account the interests of creditors and others.

**Interests of members.** Each Officer should endeavour to ensure that the FAAA is financially viable, properly managed and constantly improved so as to protect and enhance the interests of the members.

**Interests of creditors.** Whilst the obligations of an Officer are primarily owed to the FAAA (that is to the members as a whole), there are situations in which it is necessary to evaluate the interests of the creditors. This is particularly so where the FAAA's financial position is uncertain or where insolvency may be pending. In case of doubt, a director should, with some urgency, seek professional advice.

The obligations of an Officer to a creditor are no less important than the obligations of an Officer to the members as a whole where the FAAA's financial position is uncertain or insolvency may be pending.

**Interests of other stakeholders.** All companies and their directors and officers must comply with the legal framework governing their operations and must be conscious of the impact of their business on society. Without limiting in any way the nature of the issues with which Officers must be concerned in the running of the FAAA business, particular attention should be paid to questions of occupational health and safety, industrial relations, equal opportunity for employees, the impact of competition and consumer protection rules, and other legislative initiatives that may arise from time to time. Although an Officer owes primary duty to the members of the FAAA as a whole, the responsibilities imposed on the FAAA and the Officers under various Acts of Parliament clearly demand that the Officer evaluate actions in a broader social context.

## Board decisions

**Support of Board decision.** The members of the FAAA have delegated powers to the Board as a whole, to be exercised as a Board. They have not delegated any powers to any individual member. It follows that decisions must be made collectively and all directors are bound by the Board's decisions and may be legally liable for them. Hence, outside the boardroom, the directors (in addition to other Officers) are expected to support the letter and the spirit of Board decisions when in contact with other parties.

**When not to support Board decision.** If there is any doubt whether a proposed course of action is inconsistent with an Officer's fiduciary duty, then the course of action should not be supported. Independent advice should be sought as soon as possible to clarify the issue.

When a director feels so strongly as to be unable to acquiesce in a decision of the Board, some or all of the following steps should be considered:

1. Making the extent of the dissent and its possible consequences clear to the Board as a means of seeking to influence the decision.
2. Asking for additional legal, accounting or other professional advice.
3. Asking that the decision be postponed to the next Meeting to allow time for further consideration and informal discussion.
4. Tabling a statement of dissent and asking that it be minuted.
5. Writing to the Chair, or all members of the Board and asking that the letter be filed with the minutes.
6. If necessary, resign and consider advising the appropriate regulator.
7. Where a decision is not unanimous, a dissenting director may not disclose the fact that he/she dissented. The fact that a director dissents on certain decisions will not in itself be sufficient to remove all liability from that director, should the decision lead to litigation.

**Unacceptable conduct.** Opinion shopping and the search for loopholes in the law is unacceptable.

## Conflicts of interest

**No abuse of position.** An Officer must not take improper advantage of the position of Officer to gain, directly or indirectly, a personal advantage or an advantage for any Associated Person, which might cause detriment to the FAAA.

**Personal interest.** The personal interests of an Officer, and those of the Officer's Associated Persons, must not be allowed to prevail over those of members generally. An Officer should seek to avoid conflicts of interest wherever possible. Full disclosure of any conflict, or potential conflict, must be made to the Board. In considering the issues, account should be taken of the significance of the potential conflict for the FAAA and the possible consequences if it is not handled properly. Where a conflict does arise, an Officer must comply

with any protocols dealing with the issue of conflict of interest. Where an Officer is thereafter absent from meetings, consideration should be given as to whether expertise that would be contributed by the Officer is otherwise available. In the case of a continuing material conflict of interest, an Officer should give careful consideration to resigning.

**Benefit received.** An Officer should consider whether any benefit to be received by the Officer or an Associated Person is of sufficient magnitude that the approval of the Board should be sought, even though not required by law.

**Management Interests.** An executive director and other non-director Officers must always be alert to the potential for conflict of interest between management interests and the Officer's fiduciary duties as an Officer.

**Success Fees.** The payment of 'success fees' in situations of potential conflict of interest is unacceptable.

*Please see also the Conflicts of Interest Protocol on page 15 onwards.*



## **Principle 2:**

### **Officers must act with honesty and integrity**

Officers are required to act with honesty and integrity at all times. They must be open and transparent in their dealings and use authority responsibly.

#### **WHAT THEY MUST DO:**

1. Be honest and forthright in all of their communications and dealings with the FAAA, including colleagues, staff, members, government and regulators.
2. Commit to high standards of professionalism, and ethics.

## **Principle 3:**

### **Officers must act fairly and impartially**

Officers must avoid bias, discrimination, caprice or self-interest. They must demonstrate respect for others by acting in a professional and courteous manner and set an example in living the values of the FAAA.

#### **WHAT THEY MUST DO:**

1. Deal fairly and respectfully with everyone in the FAAA including colleagues, staff, clients, suppliers, competitors and any other third parties or business partners with whom they deal during the course of their term.
2. Treat all people they deal with dignity and respect.
3. Advise and behave in a manner that is free of favouritism, self-interest and preference.
4. Respect human dignity and foster a culture free of intimidation.
5. Consider all relevant facts objectively when implementing policy or procedures to ensure equitable outcomes.
6. Act in accordance with anti-discrimination legislation.

## Principle 4:

### Officers must use information appropriately

Officers are to ensure that information gained as a director is used and applied for proper purposes and is kept confidential at all times.

#### WHAT THEY MUST DO:

1. Only use information gained as an Officer for the purposes intended by the Board and for purposes that are in the interest of the FAAA.
2. Be conscious that Officers hold privileged information and that strict rules apply to that information.
3. Do not disclose information outside appropriate and responsible circles unless the disclosure has been authorised by the Board or is required by law.

#### Notes:

#### Definition used below

**'Associated Person'** in relation to an Officer includes any spouse (including a de facto spouse), parent, child, brother or sister of the Officer or any company, corporation, partnership trust or other entity owned or controlled by the Officer or in which the Officer has a material personal interest within the meaning of the *Corporations Act 2001* (Cth).

#### Improper use of information

**No improper use of information.** An Officer must not make improper use of information acquired by virtue of the Officer's position as an Officer. This prohibition applies irrespective of whether the Officer would gain directly or indirectly a personal advantage or an advantage for an Associated Person or might cause detriment to the FAAA.

#### Confidential information

**Confidential information.** An Officer should ensure that any information which is not publicly available is not disclosed to a third party. Matters such as trade secrets, processes, methods, advertising, and promotional programs, member revenue and statistics affecting financial results are particularly sensitive and must not be disclosed. More specific examples of such information include, without limitation:

1. Financial forecasts
2. Disciplinary actions against members
3. Borrowings
4. Impending changes in the nature of the FAAA's membership
5. Impending litigation

6. Significant changes in operations
7. New products or services
8. New discoveries
9. Liquidity problems

**Disclosure of reason for resignation.** An Officer who takes the serious step of resignation on a point of principle should consider whether the reason for resignation should be disclosed to members of the FAAA or the public. In deciding whether or not to make public the reason for resignation and composing any resignation statement, an Officer should have regard to the following:

1. The duty not to disclose confidential information so as to damage the FAAA; and
2. The duty to act bona fide in the interests of the FAAA.

## Principle 5:

### Officers must exercise due care, diligence and skill

Officers must ascertain all relevant information, make reasonable enquiries and understand the financial strategic and other implications of Board decisions.

#### WHAT THEY MUST DO:

1. Undertake their duties with care and diligence.
2. In the case directors, commit to be an active member of the Board.
3. Ensure they understand how the business and the Board operate.
4. Ensure they are well prepared and ask relevant questions.
5. Understand the strengths, weaknesses, opportunities and threats faced by the FAAA.
6. Understand financial reports and other financial material and actively inquire into this material.
7. Ensure that the management of the FAAA is competent.
8. Ensure the FAAA's full compliance with its legal, ethical and policy obligations.

#### Notes:

**Attendance of Board meetings.** All Officers should attend all Board meetings but where attendance at meetings is not possible appropriate steps should be taken to obtain leave of absence.

**Officer must acquire knowledge.** An Officer must acquire knowledge about the business of the FAAA, the statutory and regulatory requirements affecting Officers in the discharge of their duties to the FAAA, and be aware of the physical, political and social environment in which it operates.

**Access to information.** In order to be fully effective, an Officer should insist upon access to all relevant information to be considered by the Board. This information should be made available in sufficient time to allow proper consideration of all relevant issues. In the extreme circumstances where information is not provided, the Officer should make an appropriate protest about the failure on the part of the FAAA to provide the information and if necessary abstain from voting on the particular matter on the basis that there has not been the time necessary to consider the matter properly. Any abstention, and the reason for it, should be included in the minutes of that meeting. It may also be appropriate to vote against the motion or move for deferment until proper information is available.

**Systems supporting the Board.** An Officer should endeavour to ensure that systems are established within the FAAA to provide the Board, on a regular and timely basis, with necessary data to enable them to make a reasoned judgement and so discharge their duties of care and diligence. An internal audit of systems supporting the Board should be conducted regularly.

**Relations between Board and auditors.** An Officer should endeavour to ensure that relations between the Board and the auditors are open, unimpeded and constructive. Similarly, the auditors should have direct and unimpeded access to the Officer. An Officer should be satisfied that the scope of the audit is adequate and that it is carried out thoroughly and with the full co-operation for management.

**Compliance with law, standards and ethics.** An Officer should endeavour to ensure that the FAAA complies with the law and strives for the highest standards of business and ethical conduct.

**Expert advice may be needed.** An Officer may, from time to time, need expert advice (whether it be legal, financial or other professional advice and whether it relates to fiduciary or other duties) in order to discharge that Officer's duties properly. The Officer should ensure, to the extent possible, that any advice obtained is independent of the FAAA. In that regard wherever necessary the services of advisers independent of those advising the FAAA may need to be sought. In any case of doubt separate independent advice should be sought by the Officers on matters that may impact on their position vis-à-vis the FAAA. Any Officer who wishes to seek advice pertaining to a serious matter involving the Officer's position vis-à-vis the FAAA at the expense of the FAAA must seek the approval of the Chair (or the Deputy Chair where the Chair is unable or unwilling to discharge of his/her duties) prior thereto (such approval will not be unreasonably withheld).

## **Principle 6:**

### **Officers must demonstrate leadership and stewardship**

Officers are required to contribute and support the strategic direction and vision of the FAAA.

#### **WHAT THEY MUST DO:**

1. Contribute to the development and promote the strategic direction of the FAAA.
2. Behave in a way that exemplifies the values of the FAAA.
3. Exercise independent judgement and goodwill in overseeing the direction of the FAAA.
4. Be responsible for both tangible and intangible assets of the FAAA and ensure appropriate risk controls are in place.
5. Demonstrate leadership in the community and ensure that the FAAA acts in the public interest.

## **Principle 7:**

### **Officers must comply with this Code, the law and FAAA policies and procedures**

Officers are required to comply with this Code and to report any conduct that may be in breach of the law, this Code or any other FAAA policies or procedures as soon as possible.

#### **WHAT THEY MUST DO:**

1. Familiarise themselves with the Code, all legislation and policies & procedures which set out the rules, regulations and working operations in which the FAAA does business.
2. Complete sufficient training and education programs to build and maintain their awareness and understanding of relevant laws, policies, procedures and practices.
3. Report all actual or suspected breaches of the law, this Code and the FAAA's policies, procedures or practices immediately to the Chair (or the Deputy Chair where the Chair is the subject of the report).



# Conflicts of Interest Protocol

## References to Chair

References to the Chair below are deemed to be references to the Deputy Chair where the Chair is unable or unwilling to discharge of his/her functions.

## Conflicts of interest obligations in the constitution

Each Officer is reminded that clause 47 of the FAAA's constitution sets out a number of obligations and procedures regarding conflicts of interest which are binding on them. This Conflicts of Interest Protocol must be read and applied subject to the FAAA's constitution.

## Identification and recording of conflicts of interest

**Disclosure of conflicts of interest.** An Officer must inform the Chair and the other directors (either through the Chair or directly) of any matter which may result in a conflict of interest (actual or potential) for the Officer as soon as possible after such matter comes to the attention of the Officer by giving notice of the interest including details of the nature and extent of the interest and the relation of the interest to the affairs of the FAAA. In the event of a conflict of interest involving the Chair, the Chair must inform the other directors in the same manner.

**Determination of conflict by the Chair or other directors.** Where a matter arises for discussion or consideration by the Board which, in the opinion of the Chair (or in the event of a potential conflict involving the Chair, then the other directors), may result in a conflict of interest (actual or potential) for an Officer, the Chair shall inform the Officer of his/her decision.

**Register of Interests.** The FAAA shall maintain a Register of Interests which records the interest of each Officer in:

1. Interests in other businesses or enterprises where there is a reasonable likelihood or expectation of appreciable financial gain or loss to the person (or another person with whom the person is associated) which may arise as a result of that person's association with the FAAA.
2. Other board positions held (with other organisations).

## Consequence of conflicts of interest

**Consequences of conflicts of interest.** Upon disclosure or determination of a conflict of interest, the Board (excluding any conflicted Officer) will discuss the matter and determine the appropriate action, if any, including without limitation whether information on the topic will be supplied and whether the Officer should absent himself or herself from the Board during discussion of the topic. Where the interest is a material personal interest that must be disclosed under the Corporations Act, the details of the interest must be recorded in the minutes of the meeting at which the notice is given or tabled, in accordance with requirements of the Corporations Act.

**Officer having a material personal interest.** An Officer who has a material personal interest in a matter that is being considered at a meeting of the Board:

1. If the Officer is a director, must not vote on the matter; and

2. Must not be present while the matter (or a proposed resolution of that kind) is being considered at the meeting,

unless directors who do not have a material personal interest in the matter have passed a resolution that:

3. identifies the Officer, the nature and extent of the Officer's interest in the matter and its relation to the affairs of the FAAA; and
4. states that those directors are satisfied that the interest should not disqualify the Officer from voting (if the Officer is a director) or being present.

# Social Media Protocol

## Intention of the protocol

**Importance of social media.** The use of social media is seen an important and growing business and engagement opportunity for the FAAA. Officers have a strong profile within the advice community and can make a positive contribution to the reputation of the FAAA. This entails promoting and commenting on FAAA events, important announcements, and policies on Twitter, LinkedIn and Facebook (e.g. linking to the FAAA Congress website on Facebook, retweeting the FAAA Professionals Congress / Roadshows Tweets, posting photos from Roadshows or Congress).

**Intention of protocol.** The intention of this protocol is the capture the positive impacts directors (and where appropriate, other Officers) can have on the overall reputation and impact of the FAAA, whilst protecting the FAAA against any risks which could have the reverse effect.

**Application of this protocol.** This protocol serves to advise Officers using a social media platform in a personal or professional capacity, on suitable behaviour and rules to abide by. If an Officer is discussing the FAAA or business or policy issues related to the FAAA in their personal or professional use of social media platforms, the Officer is required to follow this protocol.

## What is social media?

Social media tools and platforms covered by this protocol include (without limitation):

1. Social networking sites eg Facebook, LinkedIn, Google+, etc.
2. Video and photo sharing websites eg Instagram, YouTube, Flickr;
3. Micro-blogging sites eg Twitter (now called X);
4. Weblogs, including corporate blogs, personal blogs or blogs hosted by traditional media publications;
5. Forums and discussion boards such as LinkedIn Groups, Yahoo! Groups or Google Groups;
6. Online encyclopaedias such as Wikipedia; and
7. Any other web sites that allow individual users or companies to use simple publishing tools.

## Social media for personal use

**Use in a personal capacity.** This section outlines how this protocol is applied if an Officer chooses to make references to the FAAA, its people, products or services, its competitors, regulators and/or other industry or business related individuals or organisations when they are using a social media platform in a personal (ie not FAAA pre-approved/professional) capacity. It is important in these circumstances that readers of the Officer's posts do not misconstrue the Officer's personal comments as representing an official FAAA position.

The Officer is required to:

1. Identify themselves as an Officer of the FAAA (and the relevant officer, ie director, CEO, company secretary etc);
2. Ensure they do not imply in any way that they are authorised to speak on the FAAA's behalf;

3. Ensure they do not knowingly use the identity of another Officer (including name or variation of a name) unless in conjunction with a public event or with prior approval;
4. Be mindful during their social media engagements of the importance of not damaging the FAAA's reputation, commercial interests and/or bringing the FAAA into disrepute;
5. Disclose only publicly available information (other than opinion). The Officer must not comment on or disclose confidential FAAA information or internal Board discussions; and
6. Not include the FAAA's logos, trademarks or other FAAA intellectual property in their postings.

**Informed and factually correct.** The Officer is personally responsible for the content of their posts online. In this context, the Officer has a responsibility to ensure that any information about the FAAA's products and services that they provide is informed and factually accurate. If they wish to express their opinions please state they are the Officer's personal opinions, or the opinion of another organisation which they represent, and not those of the FAAA.

**Personal perspective.** If an Officer is offering their personal perspective on a matter related to the FAAA, That Officer should:

1. Be mindful that their commentary and opinion does not cause damage to the FAAA or its commercial interests;
2. Use a disclaimer if they are referring regularly to the FAAA or FAAA related issues.
  - (a) For irregular FAAA references, a disclaimer need only be used on a case-by-case basis. It is understood that when using a social media platform such as Twitter, that disclaimers on every post are not possible or appropriate; however, a general disclaimer could be put on your Twitter profile stating: 'Views all my own.'
  - (b) An example of when a disclaimer would be appropriate is at the end of a blog post published by the Officer on a website. An example of a disclaimer is: 'the views expressed in this post are mine only and do not necessarily reflect the views of the FAAA.'
3. Ensure they are not the first to make an FAAA announcement unless authorised by the Board to do so.

## Social media for business purposes

This section outlines how this protocol applies where an Officer uses social media in a professional capacity to represent the FAAA on a social media platform for legitimate business purposes.

The Officer is required to:

1. Disclose that they are an FAAA Officer (and the relevant officer, ie director, CEO, company secretary etc) as well as any other organization which may have an interest in what is being discussed;
2. Disclose only publicly available information – the Officer must not comment on or disclose confidential FAAA information or internal Board communications;
3. Ensure that any content they publish is factually accurate and complies with any other relevant FAAA policies;
4. Ensure they are not the first to make an FAAA announcement unless authorised by the Board to do so; and
5. Only offer advice, support or comment on topics that fall within their area of responsibility at the FAAA.

## Social media generally

This applies to Officers who choose to make references to the FAAA (or its directors, officers, employees or contractors) when using social media generally.

An Officer must comply with the following guidelines:

1. Do not post confidential or proprietary information about the FAAA.
2. Be respectful of all individuals and communities with which the Officer interacts online;
3. Comply with the Terms of Use of the relevant social media platform being used;
4. Respect copyright, privacy, financial disclosure and other applicable laws when publishing on social media platforms.
5. Do not use the FAAA logo or any other FAAA images or iconography on personal social media sites.
6. Do not use the FAAA's name to promote a product (other than FAAA products), cause, political party or candidate.
7. Think twice before posting: Privacy does not exist in the world of social media. Consider what could happen if a post becomes widely known and how that may reflect both on the poster and the FAAA. Search engines can turn up posts years after they are created, and comments can be forwarded or copied.
8. Get the facts straight. Make sure any alleged facts are correct before posting them on social media. Review content for grammatical and spelling errors.
9. Do not post material that is obscene, defamatory, threatening, harassing, discriminatory or hateful to another person or entity, including the FAAA, its employees, its contractors, its partners, its competitors and/or other business related individuals or organisations.
10. Do not disclose other people's personal information in social media venues, and comply with the Privacy Act 1988 (Cth) and the Australian Privacy Principles.
11. Photographs posted on social media sites easily can be appropriated by visitors. Consider adding a watermark to protect your intellectual property.

## Overall intent and examples

### Officers are encouraged to:

1. Help promote FAAA events on Twitter (now called X), LinkedIn and Facebook, e.g. linking to the FAAA Congress website on Facebook, retweeting the FAAA Professionals Congress / Roadshows Tweets, posting photos from Roadshows or Congress (subject to privacy issues regarding the identify of individuals). You're further encouraged to comment / like any FAAA posts on Social Media relating to these types of events.
2. Share / comment on, positive FAAA communications / news releases / developments, on Twitter (now called X), LinkedIn and Facebook, e.g. posting about the inaugural Gwen Fletcher Memorial Award, the FAAA Blog.

### Show care with:

1. Commenting or posting on political, policy related or current affair topics directly relating to the FAAA's actions / statements / stances. There is nothing wrong with supporting or passing on

information relating to the FAAA's public stances. However, it's important that it is posted or commented on in a way that is not too inflammatory in nature, and does not draw too much negative attention to the post or the FAAA.

2. Private messaging communication which could be widely disseminated by the receiver
3. When sharing content on social media, officers must remember to uphold the positive image and reputation of the FAAA. It's an opportunity to highlight the good work and contributions of the FAAA, ensuring that all posts reflect this spirit.
- 4.

#### **Avoid:**

1. Making statements on social media that could be deemed as highly controversial, especially in regards to matters relating to the FAAA or the financial planning profession.
2. Getting involved in heated debates on Social Media, such as FAAA Community, LinkedIn FAAA Members Forum or Twitter, that involve the FAAA's direct actions or the FAAA in the media, e.g. the FAAA's response to CBA Scandal.
3. Writing any potentially inflammatory posts relating to the FAAA's public statements / stances.

## **FAAA Community**

FAAA Community (**Community**) is the online communication forum for FAAA members. Within Community, there are a number of 'communities' including those that are linked to interest groups, chapters, FAAA events and activities.

Officers are encouraged to join as many communities as they wish and to follow the conversations within each community. Commenting within the conversations may occur with the following consideration:

1. If the Community is for an FAAA event (such as Congress) you are encouraged to share key points and support the event.
2. If the Community is linked to a special area of expertise that you have, or you require support in your professional capacity as a financial planner, you are encouraged to provide or clarify matters of fact or ask for information.
3. If the Community is a director's board committee, you are encouraged to comment and engage with members.
4. If the Community is an open forum, directors are expected to defer to the FAAA CEO and management for comment or guidance. If you are specifically mentioned or tagged in a response, initially confirm a response with the CEO or alternatively request the CEO to respond on your behalf.
5. If you are unclear if you should comment you should refer to the Chair (or the Deputy Chair if the Chair is unable or unwilling to discharge of his/her duties) or the CEO.

## **FAAA's main social media pages**

### **FAAA Facebook page:**

<https://www.facebook.com/FinancialAdviceAssociationAustralia>

**FAAA LinkedIn Company Page:**

<http://www.linkedin.com/company/financial-advice-association-australia>

**FAAA LinkedIn Members Forum:**

<http://www.linkedin.com/groups/1839605/>

**FAAA X Handle:**

[https://x.com/FAAA\\_Au/status/1876788131531268293](https://x.com/FAAA_Au/status/1876788131531268293)

# Complaints and Investigations Protocol

## Complaints

Any complaint alleging that an Officer has breached this Code must be made in writing and reported to the Chair for further action.

## Investigations

The Chair will as soon as practicable investigate the complaint and ascertain whether the complaint has merit. Where appropriate, a board sub-committee and/or third party may be engaged by the Chair to carry out part or all of the investigation.

The Chair may decide to meet with the Officer being the subject of the complaint with a view to ascertaining their attitude towards the complaint. In the event the complainant is an employee of the FAAA, the Officer being the subject of the complaint will not be informed of the identity of the complainant, except in the following circumstances:

1. The employee consents in writing for the disclosure of that information;
2. It is essential, having regard for the principles of natural justice that the identifying information be disclosed to a person whom the information may concern;
3. The disclosure of information is necessary to investigate the matter effectively; or
4. Disclosure is otherwise in the public interest.

The Chair may convene a conciliation process (which may or may not involve the complainant) between the Officer being the subject of the complaint and the Chair and/or the other directors.

The Chair may draw upon supporting resources such as the Conduct Review Commission Chair and/or external mediation or legal resources to assist in the conciliation process.

In the event the complaint remains unresolved following the conciliation the Chair shall report his or her findings and recommendation to the Board.

Subject to the FAAA's constitution and any applicable terms of employment, engagement or appointment, during the investigation the Officer being the subject of the investigation may be suspended from office (and may be re-instated afterwards).

## Disciplinary actions

Subject to the FAAA's constitution and any applicable terms of employment, engagement or appointment, where a complaint is proven to the satisfaction of the Board members (excluding the Officer being the subject of the complaint), the Board may by resolution impose disciplinary action, including without limitation one or a combination of the following:

1. a verbal warning;
2. termination of employment (if applicable);
3. suspension or removal from office (if the Officer is a director or the Company Secretary);



4. a recommendation to members for suspension or removal by members' resolution;
5. any legal actions against the Officer under the applicable terms of employment, engagement or appointment, the *Corporations Act 2001* (Cth) or other applicable law.

## **Complaint against the Chair**

Where a complaint is made against the Chair, all of the above applies except that all references to the Chair are deemed to be references to the Deputy Chair, and in addition, a quorum of the Governance and Remuneration Committee will determine:

1. If the complaint is frivolous and vexatious it can be dismissed (in which case the Deputy Chair must dismiss the complaint);
2. If the complaint requires investigation but does not require that the Chair stands down while the investigation is ongoing; or
3. The Chair will need to stand down to allow the investigation to proceed.

# Acknowledgement by Officer

I acknowledge that I have read, understood and agree to comply with the Code.

.....  
Signature

.....  
Name

.....  
Office

.....  
Date