



AUSTRALIAN PRO BONO CENTRE

Overseas Activity (External Conduct Standards) Policy

1. This policy applies to all of the overseas activities of the Australian Pro Bono Centre (**the Centre**), and in particular:
 - a. overseas travel undertaken by staff of the Centre in the course of their duties (see **Section B**)
 - b. the engagement of contractors ordinarily based outside of Australia to assist with the Centre's activities (see **Section C**)
 - c. any project work or significant communications that Centre staff have with persons or organisations ordinarily based outside of Australia (see **Section D**).
2. This policy is intended to ensure that the Centre complies with the External Conduct Standards administered by the Australian Charities and Not-for-profits Commission.

Section A: General

3. To ensure sufficient oversight of the Centre's overseas activities, the following steps must be taken:
 - a. The Centre's CEO (**the CEO**) must detail any risks arising from Centre's overseas activities in the Centre's risk register. At each Board meeting, the CEO must draw the Board's attention to any material changes to the risk register. At a minimum, once every 12 months the Board must thoroughly review the contents of the risk register to ensure that all risks relating to overseas activity have been appropriately mitigated
 - b. The CEO and Board must review the Centre's financial statements every quarter to ensure they are satisfied that all money spent by the Centre on overseas activities (including travel and payments to overseas contractors) is appropriate, represents value for money and is consistent with the Centre's Strategic Plan.
4. The Centre does not work directly with vulnerable people living overseas. Should the Centre intend to begin working directly with vulnerable people living overseas, prior to commencing any such work the Centre must develop a policy for the protection of vulnerable individuals.
5. Any Centre staff or volunteers that suspect wrongdoing in the course of the Centre's overseas activities are encouraged to report that wrongdoing in accordance with the Centre's *Whistleblower Protection Policy*.

Section B: Overseas Travel

6. For the avoidance of doubt, Section B applies only to work-related travel undertaken by Centre staff members (and not travel undertaken in their personal capacity). If an overseas trip includes both work-related travel and non-work-related travel, Section B only applies to the parts of the trip that are undertaken for work purposes.
7. The payment of expenses associated with prospective overseas travel by Centre staff (including flights, accommodation, visas, and insurance) must be approved by the CEO before they are booked. The CEO's approval must be in writing and saved in an appropriate location within the Centre's file management system. A tax invoice recording the purchase of each item relating to overseas travel (including all expenses incurred by staff members while overseas) must also be saved in an appropriate location within the Centre's file management system.
8. The CEO must ensure that each Centre staff member travelling overseas is covered by sufficient travel insurance. The travel insurance must cover the following items, at a minimum:
 - a. costs associated with flight cancellation
 - b. the costs associated with lost baggage
 - c. medical and hospital expenses
 - d. the costs associated with medical transfer or evacuation
 - e. costs associated with bringing the staff member's remains back to Australia in the event of their death.
9. Before a Centre staff member travels overseas, they must:
 - a. Ensure they hold an appropriate visa/visas to allow them entry to the country/countries to which they intend to travel (or ensure they are otherwise entitled to travel to those destinations without a visa).
 - b. Ensure they are vaccinated against all diseases reasonably recommended by medical advice in relation to the relevant destination(s).
 - c. Read the Department of Foreign Affairs and Trade (**DFAT**) travel advice in relation to the relevant destination(s), available on the Smart Traveller website (<https://smartraveller.gov.au>).
 - o Complete the table at **Annexure A** to this policy, and provide a signed copy to the CEO. A copy of the completed and signed document must also be saved in an appropriate location within the Centre's file management system.
10. When a Centre staff member travels overseas, they must:
 - a. always be of good behaviour and comply with local laws
 - b. take the following information with them, and carry it at all times:
 - i. the phone number and address of the closest Australian embassy or consulate at each destination
 - ii. the phone number of DFAT's 24 hour consular assistance service (+61 2 6261 3305 from overseas)
 - iii. the phone number of the travel insurance company covering them for the trip.

11. In the event of an emergency while a Centre staff member is overseas (such as a natural disaster, serious injury or illness, or other serious threat to their safety), the staff member must as soon as practicable:
 - a. If necessary and safe to do so, go to the nearest police station, hospital or Australian embassy or consulate (as appropriate).
 - b. In all circumstances – contact the CEO to inform them of the situation (or if the CEO is unavailable, the Centre’s Head of Policy and Strategy or a member of the Centre’s Board).
12. If any claim of inappropriate behaviour is made against a Centre staff member while they are outside Australia, that staff member must report that claim to the CEO. The CEO must decide on the appropriate action(s) to take in response, and must document these actions in writing.

Section C: Overseas Contractors

13. The engagement of any contractor who typically works outside of Australia (**overseas contractor**) to do work for the Centre must be approved by the CEO. That approval must be in writing and a copy saved in an appropriate location within the Centre’s file management system.
14. Before engaging an overseas contractor to perform a task for the Centre, the CEO must:
 - a. satisfy themselves of the good reputation and appropriate experience of the overseas contractor
 - b. ensure that the overseas contractor has signed the form in **Annexure B** to this policy, and a copy of that signed form is saved in an appropriate location within the Centre’s file management system.
15. All payments to overseas contractors must be approved by the CEO. The Centre must keep appropriate records of each payment, and save those records in an appropriate location within the Centre’s file management system.

Section D: Liaising with overseas persons and organisations

16. All significant work-related contact between Centre staff and persons and/or organisations ordinarily based outside of Australia (**overseas organisations**) must be authorised by or supervised by the CEO. For the avoidance of doubt, this does not prohibit casual emails or LinkedIn contact between Centre staff and overseas organisations.
17. Before commencing work on a joint project or significant contact with an overseas organisation, the CEO must satisfy themselves of the good reputation and appropriate experience of the overseas organisation. The CEO must also be comfortable that the overseas organisation shares the Centre’s values.
18. When the Centre is working on a joint project with an overseas organisation, or otherwise engaging in significant contact with an overseas organisation, the staff member responsible

for that project or communication must complete a row in the table at **Annexure C** of this policy. The staff member must review the row every month for the duration of the project/contact and update it each month if necessary.

19. Once every three months, the CEO must review the table at **Annexure C** to ensure that each project / significant contact:

- a. continues to be appropriate, and
- b. continues to allow the Centre to pursue and achieve its purpose.

20. Where a joint project with an overseas organisation is complex, the CEO must consider developing a written agreement with that overseas organisation that clearly sets out the functions and responsibilities of each party involved.

Date policy first approved by the Board	18 November 2019
Most recent review of the policy	N/A
Due date of next review (must be at least once every 2 years)	November 2021

Annexure A: Overseas travel table

Centre staff member name:

<p>Trip purpose</p> <p><i>(eg attendance at Asia Pro Bono Conference)</i></p>	
<p>Dates you will be overseas</p>	
<p>Please list the countries you will be travelling to overseas, and the dates you will be at each destination</p>	
<p>Have you read Section B of the Centre’s Overseas Activity (External Conduct Standards) Policy and completed all steps that Section B requires of you ahead of travel?</p>	
<p>Do you agree to comply with Section B of the policy in relation to the actions you must take while overseas?</p>	
<p>In relation to each country you are travelling to – please briefly describe how visiting that country enables the Centre to pursue and achieve its purpose</p> <p><i>(ie how does visiting each of these countries enable the Centre to achieve elements of its Strategic Plan?)</i></p>	
<p>Please list the overseas organisations that you intend to meet with / engage with during your overseas trip</p> <p><i>(eg here you might want to include the name of the organisation organising the conference, and any other organisations you intend to hold formal meetings with while you are overseas)</i></p>	

Signed:

Date:

Annexure B: Overseas contractor form

Overseas contractor name	
Business name	
Email address	
Description of task(s) for which overseas contractor has been hired	
Date overseas contractor engaged <i>(this date must be subsequent to the date the contractor signs the declaration below)</i>	

I, [insert name], confirm that I respect the values of the Australian Pro Bono Centre (**the Centre**), being:

- **Access to Justice:** It is the professional responsibility and collective obligation of all lawyers to provide pro bono legal service to improve access to justice for socially disadvantaged and marginalised persons.
- **Professionalism:** Pro bono legal services should be provided to the highest standard and with the same level of professionalism as other legal services.
- **Adequate Funding for Legal Services:** Legal Aid, Community Legal Centres and other government funded legal services should be properly funded and pro bono is not a substitute for those services.
- **Client-centred:** A needs-based and client-centred approach to our work is essential.
- **Collaboration:** It is vital to work in consultation, and collaboratively, with those providing and seeking pro bono legal assistance.

I confirm that in the course of providing services for the Centre, I will comply with Australian laws in the following areas:

1. money laundering
2. financing of terrorism
3. sexual offences against children
4. slavery and slavery-like conditions
5. trafficking in individuals and debt bondage
6. people smuggling
7. international sanctions
8. breaches of taxation laws, and/or
9. bribery.

Signed:

Date:

Annexure C: Overseas contact table

Staff member name	Name of overseas organisation (or person)	Project / communication description	Country(ies) in which the overseas organisation is based	Date commenced and ended	How this enables the Centre to pursue & achieve its purpose*

**For example, how does this project/communication with the overseas organisation enable the Centre to achieve elements of its Strategic Plan?*