

Australian Association of Holistic and Transpersonal Counsellors

Incorporated Association (VIC)

Reg. No.: A0048019G



Members' Handbook

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Australian Association of Holistic and Transpersonal Counsellors Inc.

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Statement of Purpose

The Australian Association of Holistic and Transpersonal Counsellors is established to provide a forum and ongoing professional development for counsellors who work within an holistic framework. The Association defines holistic counselling as a theory and method of counselling which addresses the needs of the client as a potentially integrated individual, taking regard to the physical, imaginative, cognitive, emotional , interpersonal and spiritual dimensions of experience. Transpersonal Counselling is defined as a theory and method of counselling which takes full account of the spiritual dimension of life through an exploration of a variety of spiritual traditions of healing.

Principles

The aim of this Association is to provide a forum for counselling professionals who:

- have a commitment to the primary importance of the relationship between client and therapist in psychotherapy and counselling
- hold as central to the therapeutic endeavour the client's actualizing process and experience.
- embody in their work an understanding that counselling involves the physical, imaginative, cognitive, emotional, interpersonal and spiritual dimensions of the client's experience.
- have a commitment to an understanding of both clients and therapists as persons, who are at the same time individuals and in relationship with others and their diverse environments and cultures
- have an openness to the development and elaboration of holistic and transpersonal theory in the light of current and future practice and research.

Goals

The Association has the following goals:

- to further cooperation between Associations, organisations, institutions and individuals in the field of holistic and transpersonal counselling practice.

Statement of Purpose

- to promote holistic and transpersonal perspectives and to support and encourage the improvement of practice in holistic and transpersonal counselling.
- to exchange ideas with other psychotherapeutic orientations and to stimulate cooperation in the field of psychotherapy and counselling.
- to convene regular conferences and workshops in order to facilitate ongoing professional development for counsellors working within an holistic or transpersonal framework

Membership and Structure

Membership is open to helping professionals and trainees who wish to further the goals of the Association in counselling and related fields.

Membership of the Association is available in four categories.

Clinical Member: This category meets the PACFA standards.

Professional Member: This category is for the experienced counsellor who has more than 25 Hours of professional supervision within the past 2 years.

Qualified Member: This category is for the new counsellor who has recently completed a recognised course in counselling and has less than 25 hours of professional supervision.

Student Member: This category is open to those individuals who are currently undertaking an AAHTC-approved course of study.

Membership Fee

1. Members of the Association pay a membership fee to meet the expenses of the Association.
2. The membership fee is suggested by the Executive and must be approved by the Annual General Meeting.
3. The Board may make exceptions in case of financial hardship on written request.

Code of Ethics

The helping relationship constitutes the effective and appropriate use of helper's skills that are for the benefit and safety of the client in his or her circumstances.

Therefore as members (regardless of level) of the Australian Association of Holistic and Transpersonal Counsellors Inc. we will:

- Offer a non judgemental professional service, free from discrimination, honouring the individuality of the client.
- Establish the helping relationship in order to maintain the integrity and empowerment of the client without offering advice.
- Be committed to ongoing personal and professional development.
- Ensure client understanding of the purpose, process and boundaries of the counselling relationship.
- Offer a promise of confidentiality and explain the limits of duty of care.
- For the purpose of advocacy, receive written permission from the client before divulging any information or contacting other parties.
- Endeavour to make suitable referral where competent service can not be provided.
- Undertake regular supervision and debriefing to develop skills, monitor performance and sustain professional accountability.
- Be responsive to the needs of peers and provide a supportive environment for their professional development.
- Not act as or practice legal council on behalf of or to a client when practicing as a counsellor or act as an agent for a client.
- Not initiate, develop or pursue a relationship be it sexual or nonsexual with past or current clients, within 2 years of the last counselling session.
- Be responsible for your own updating and continued knowledge of theories, ethics and practices through journals, the Association and other relevant bodies.
- Be committed to the above code of ethics and recognise that procedures for withdrawal of membership will be implemented for breaches.

Code of Practice

Introduction

This code applies these values and ethical principles outlined above to more specific situations which may arise in the practice of counselling. No clause or section should be read in isolation from the rest of the Code.

1. Issues of Responsibility

1.1 The counsellor-client relationship is the foremost ethical concern. However, counselling does not exist in social isolation. Counsellors may need to consider other sources of ethical responsibility. The headings in this section are intended to draw attention to some of these.

(a) 1.2 Counsellors take responsibility for clinical/therapeutic decisions in their work with clients.

(b) 1.3 Responsibility to the client

Client Safety

1.3.1 Counsellors must take all reasonable steps to ensure that the client does not suffer physical, emotional or psychological harm during counselling sessions.

1.3.2 Counsellors must not exploit their clients financially, sexually, emotionally, or in any other way. Suggesting or engaging in sexual activity with a client is unethical.

1.3.3 Counsellors must provide privacy for counselling sessions. The sessions should not be overheard, recorded or observed by anyone other than the counsellor without informed consent from the client. Normally any recording would be discussed as part of the contract. Care must be taken that sessions are not interrupted.

Client self-determination

1.3.4 In counselling the balance of power is unequal and counsellors must take care not to abuse their power.

1.3.5 Counsellors do not normally act on behalf of their clients. If they do, it will be only at the express request of the client, or else in exceptional circumstances.

1.3.6 Counsellors do not normally give advice.

1.3.7 Counsellors have a responsibility to establish with clients at the outset of counselling the existence of any other therapeutic or helping relationships in which the client is involved and to consider whether counselling is appropriate. Counsellors should gain the client's permission before conferring in any way with other professional workers.

Breaks and Endings

1.3.8 Counsellors work with clients to reach a recognised ending when clients have received the help they sought or when it is apparent that counselling is no longer helping or when clients wish to end.

1.3.9 External circumstances may lead to endings for other reasons which are not therapeutic. Counsellors must make arrangements for care to be taken of the immediate needs of clients in the event of any sudden and unforeseen endings by the counsellor or breaks to the counselling relationship.

1.3.10 Counsellors should take care to prepare their clients appropriately for any planned breaks from counselling. They should take any necessary steps to ensure the well being of their clients during such breaks.

1.4 Responsibility to other Counsellors

1.4.1 Counsellors must not conduct themselves in their counselling-related activities in ways which undermine public confidence either in their role as a counsellor or in the work of other counsellors.

1.4.2 A counsellor who suspects misconduct by another counsellor which cannot be resolved or remedied after discussion with the counsellor concerned, should implement the Complaints Procedure, doing so without breaches of confidentiality other than those necessary for investigating the complaint.

1.5 Responsibility to Colleagues and Others

1.5.1 Counsellors are accountable for their services to colleagues, employers and funding bodies as appropriate. At the same time they must respect the privacy, needs and autonomy of the client as well as the contract of confidentiality agreed with the client.

1.5.2 No-one should be led to believe that a service is being offered by the counsellor which is not in fact being offered, as this may deprive the client of the offer of such a service elsewhere.

1.5.3 Counsellors must play a demonstrable part in exploring and resolving conflicts of interest between themselves and their employers or agencies, especially where this affects the ethical delivery of counselling to clients.

1.6 Responsibility to the Wider Community Law

1.6.1 Counsellors must take all reasonable steps to be aware of current law as it applies to their counselling practice.

1.7 Resolving Conflicts Between Ethical Priorities

1.7.1 Counsellors may find themselves caught between conflicting ethical principles, which could involve issues of public interest. In these circumstances, they are urged to consider the particular situation in which they find themselves and to discuss the situation with their counselling supervisor and/or other experienced counsellors. Even after conscientious consideration of the salient issues, some ethical dilemmas cannot be resolved easily or wholly satisfactorily.

2. Anti-Discriminatory Practice

Client Respect

2.1 Counsellors work with clients in ways that affirm both the common humanity and the uniqueness of each individual. They must be sensitive to the cultural context and worldview of the client, for instance whether the individual, family or the community is taken as central.

Client Autonomy

2.2 Counsellors are responsible for working in ways that respect and promote the client's ability to make decisions in the light of his/her own beliefs, values and context.

Counsellor Awareness

2.3 Counsellors are responsible for ensuring that any problems with mutual comprehension due to language, cultural differences or for any other reason are addressed at an early stage. The use of an interpreter needs to be carefully considered at the outset of counselling.

2.4 Counsellors have a responsibility to consider and address their own prejudices and stereotyping attitudes and behaviour and particularly to consider ways in which these may be affecting the counselling relationship and influencing their responses.

3. Confidentiality

3.1 Confidentiality is a means of providing the client with safety and privacy and thus protects client autonomy. For this reason any limitation on the degree of confidentiality is likely to diminish the effectiveness of counselling.

3.2 The counselling contract will include any agreement about the level and limits of confidentiality offered. This agreement can be reviewed and changed by negotiation between counsellor and client. Agreements about confidentiality continue after the client's death unless there are overriding legal or ethical considerations.

3.3 Settings

3.3.1 Counsellors must ensure that they have taken all reasonable steps to inform the client of any limitations to confidentiality that arise within the setting of the counselling work, e.g. updating doctors in primary care, team case discussions in agencies. These are made explicit through clear contracting.

3.3.2 Many settings place additional specific limitations on confidentiality. Counsellors considering working in these

settings must think about the impact of such limitations on their practice and decide whether or not to work in such settings.

3.4 Exceptional Circumstances

3.4.1 Exceptional circumstances may arise which give the counsellor good grounds for believing that serious harm may occur to the client or to other people. In such circumstances the client's consent to change in the agreement about confidentiality should be sought whenever possible unless there are also good grounds for believing the client is no longer willing or able to take responsibility for his/her actions. Normally, the decision to break confidentiality should be discussed with the client and should be made only after consultation with the counselling supervisor or if he/she is not available, an experienced counsellor.

3.4.2 Any disclosure of confidential information should be restricted to relevant information, conveyed only to appropriate people and for appropriate reasons likely to alleviate the exceptional circumstances. The ethical considerations include achieving a balance between acting in the best interests of the client and the counsellor's responsibilities to the wider community.

3.4.3 Counsellors hold different views about the grounds for breaking confidentiality, such as potential self-harm, suicide, and harm to others. Counsellors must consider their own views, as they will affect their practice and communicate them to clients and significant others e.g. supervisor, agency.

3.5 Management and Confidentiality

3.5.1 Counsellors should ensure that records of the clients identity are kept separately from any case notes.

3.5.2 Arrangements must be made for the safe disposal of client records, especially in the event of the counsellors incapacity or death.

3.5.3 Care must be taken to ensure that personally identifiable information is not transmitted through overlapping networks of confidential relationships.

3.5.4 When case material is used for case studies, reports or publications the clients informed consent must be obtained wherever possible and their identity must be effectively disguised.

3.5.5 Any discussion about their counselling work between the counsellor and others should be purposeful and not trivialising.

3.5.6 Counsellors must pay particular attention to protecting the identity of clients.

4. Contracts

4.1 Advertising and Public Statements

4.1.1 Counsellors who hold accredited qualifications and who are members of recognised bodies are encouraged to mention this.

4.1.2 All advertising and public statements should be accurate in every particular.

4.1.3 Counsellors should not display an affiliation with an organisation in a manner which falsely implies sponsorship or validation by that organisation.

4.2 Pre-Counselling Information

4.2.1 Any publicity material and all written and oral information should reflect accurately the nature of the service on offer, and the relevant counselling training, qualifications and experience of the counsellor.

4.2.2 Counsellors should take all reasonable steps to honour undertakings made in their pre-counselling information.

4.3 Contracting with Clients

4.3.1 Counsellors are responsible for reaching agreement with their clients about the terms on which counselling is being offered, including availability, the degree of confidentiality offered, arrangements for the payment of any fees, cancelled

appointments and other significant matters. The communication of essential terms and any negotiations should be concluded by having reached a clear agreement before the client incurs any commitment or liability of any kind.

4.3.2 The counsellor has a responsibility to ensure that the client is given a free choice whether or not to participate in counselling. Reasonable steps should be taken in the course of the counselling relationship to ensure that the client is given an opportunity to review the counselling.

4.3.3 Counsellors must avoid conflicts of interest wherever possible. Any conflicts of interest that do occur must be discussed in counselling supervision and where appropriate with the client.

4.3.4 Records of appointments should be kept and clients should be made aware of this. If records of counselling sessions are kept, clients should also be made aware of this. At the clients request information should be given about access to these records, their availability to other people, and the degree of security with which they are kept.

4.3.5 Counsellors must be aware that computer-based records are subject to statutory regulations. It is the counsellors responsibility to be aware of any changes the government may introduce in the regulations concerning the clients right of access to his/her records.

4.3.6 Counsellors are responsible for addressing any client dissatisfaction with the counselling.

5. Boundaries

With Clients

5.1 Counsellors are responsible for setting and monitoring boundaries throughout the counselling sessions and will make explicit to clients that counselling is a formal and contracted relationship and nothing else.

5.2 The counselling relationship must not be concurrent with a supervisory or training relationship.

With Former Clients

5.3 Counsellors remain accountable for relationships with former clients and must exercise caution over entering into friendships, business relationships, training, supervising and other relationships. Any changes in relationships must be discussed in counselling supervision. The decision about any change(s) in relationships with former clients should take into account whether the issues and power dynamics presented during the counselling relationship have been resolved.

5.4 Counsellors are prohibited from sexual activity with all current and former clients for a minimum of two years from cessation of counselling.

6. Competence

6.1 Counsellor Competence and Education

6.1.1 Counsellors must have achieved a level of competence before commencing counselling and must maintain continuing professional development as well as regular and ongoing supervision.

6.1.2 Counsellors must actively monitor their own competence through counselling supervision and be willing to consider any views expressed by their clients and by other Counsellors.

6.1.3 Counsellors will monitor their functioning and will not counsel when their functioning is impaired by alcohol or drugs. In situations of personal or emotional difficulty, or illness, counsellors will monitor the point at which they are no longer competent to practice and take action accordingly.

6.1.4 Competence includes being able to recognise when it is appropriate to refer a client elsewhere.

6.1.5 Counsellors should take reasonable steps to seek out peer supervision to evaluate their efficiency as counsellors from time to time.

6.1.6 Counsellors must recognise the need for continuing education in their chosen profession to maintain a professional level of awareness of current scientific and professional information and education in their particular fields of activity.

6.1.7 Counsellors should take steps to maintain their level of competence in the skills they use, be open to new procedures and keep up to date with all dangers that are relevant to their area of expertise.

6.1.8 Counsellors are responsible for ensuring that their relationships with clients are not unduly influenced by their own emotional needs.

6.1.9 Counsellors must consider the need for professional indemnity insurance and when appropriate take out and maintain adequate cover.

6.1.10 When uncertain as to whether a particular situation or course of action may be in violation of the Code of Ethics and Practice, counsellors must consult with their counselling supervisor and/or other experienced practitioners.

Definition: *A client:* a person or persons who agrees to be counselled or being counselled by a person who has represented themselves to be a qualified counsellor, regardless of place, time or payment of fees

Rules of Association

1. Name

The incorporated Association is:

The Australian Association of Holistic and Transpersonal Counsellors

Incorporated (Vic)

otherwise known as the AAHTC and in these rules called “the Association”—as registered with Consumer and Business Affairs Victoria under the Associations Incorporations Act (1981), Registration Number A0048019G.

2. Definitions

(1) In these Rules, unless the contrary intention appears –

“**Act**” means the Association Incorporations Act 1981;

“**address**” means postal or email address;

“**committee**” means the Executive committee of the Association;

“**financial year**” means the year ending 31 December;

“**general meeting**” means a general meeting of members convened in accordance with Rule 13;

“**in writing**” includes email and fax transmission;

“**member**” means a member of the Association;

“**ordinary member of the committee**” means a member of the Executive committee who is not an officer of the Association under Rule 23;

“**Registrar**” means the Registrar of Incorporated Associations and includes any Deputy or Assistant Registrar of Incorporated Associations;

“**Regulations**” means regulations under the Act;

“**relevant documents**” has the same meaning as in the Act.

“**special resolution**” has the same meaning as in the Act.

(2) In these Rules, a reference to the Secretary of an Association is a reference –

(a) if a person holds office under these Rules as Secretary of the Association – to that person; and

(b) in any other case, to the public officer of the Association.

3. Alteration of the Rules

- (1) These Rules and the statement of purposes of the Association must not be altered except in accordance with the Act.
- (2) In accordance with the Act, the Association may alter its statement of purpose or its rules only by special resolution at a general meeting of the Association.
- (3) A resolution is not considered to have passed under sub-rule(2) unless:
 - (a) 21days notice has been given in accordance with the rules to all members entitled to vote specifying the intention to propose the resolution as a special resolution; and
 - (b) the resolution is approved by three quarters of those entitled to vote at a general meeting of the Association.
- (4) An alteration to the statement of purposes or the rules will not take effect unless and until it has been submitted to the Registrar in the approved manner, and the Registrar has approved the alteration.

4. Membership, Entry Fees and Subscription

- (1) The committee must apply nationally recognised criteria and standards to develop membership categories for graduate and student counsellors.
- (2) The committee must prepare and apply a membership application, approval and renewal process to be managed by the Membership Secretary, and make this available to members or prospective members on request.
- (3) A person who applies and is approved for membership as provided in these Rules is eligible to be a member of the Association on payment of the entrance fee and annual subscription payable under these Rules.
- (4) A person who is not a member of the Association at the time of incorporation of the Association (or who was a member at that time

but has ceased to be a member) must not be admitted to membership unless—

- (a) he or she applies for membership in accordance with sub-rule (5); and
 - (b) the admission as a member is approved via the membership approval process in sub-rule (2).
- (5) An application of a person for membership of the Association must —
- (a) be made in writing on the appropriate Application Form and include the required total fees payable.
 - (b) be lodged with the Membership Secretary of the Association.
- (6) As soon as practicable after the receipt of an application, the Membership Secretary must commence processing the application through the approval process in sub-rule (2).
- (7) In accordance with the options within the membership approval process, the Membership Secretary, membership sub-committee or committee must determine whether to approve or reject the application.
- (8) If an application for membership is approved, the Membership Secretary must, as soon as practicable and preferably within 5 working days —
- (a) enter the applicant's name in the Register of Members; and
 - (b) notify the applicant in writing of the approval for membership and provide their membership number.
- (9) An applicant for membership becomes a member and is entitled to exercise the rights of membership when his or her name is entered in the Register of Members.
- (10) If an application is rejected, the Membership Secretary must, as soon as practicable, notify the applicant in writing that the application has been rejected and return their annual subscription fee.
- (11) A right, privilege, or obligation of a person by reason of membership of the Association —

- (a) is not capable of being transferred or transmitted to another person; and
 - (b) terminates upon the cessation of membership whether by death or otherwise.
- (12) The annual subscription for each membership category is set by the annual general meeting and is payable in advance on an annual cycle with quarterly pro-rata adjustments.

5. Privacy Provisions

- (1) The committee must develop a privacy policy that gives effect to the national privacy principles contained in privacy legislation.
- (2) The privacy policy must be applied in the collection, storage and use of membership information and accounting data.

6. Register of Members

- (1) Subject to the privacy provisions in Rule 5, the Membership Secretary must keep and maintain a register of members containing—
 - (a) the name and postal address of each member;
 - (b) the category of membership, and
 - (c) the date on which each member's name was entered in the register.
- (2) The register is available for inspection free of charge by any member upon request.
- (3) A member may make a copy of entries in the register.
- (4) In addition to the membership information maintained under sub-rule (1), the Membership Secretary may record and maintain additional membership data solely for use by Officers of the Association in managing the affairs of the Association.

7. Ceasing Membership

- (1) A member of the Association who has paid all monies due and payable by a member to the Association may resign from the Association by giving one month's notice in writing to the Secretary of his or her intention to resign.
- (2) After the expiry of the period referred to in sub-rule (1) –
 - (a) the member ceases to be a member; and
 - (b) the Membership Officer must record in the register of members the date on which the member ceased to be a member.

8. Discipline, Suspension and Expulsion of Members

- (1) Subject to these Rules, if the committee is of the opinion that a member has refused or neglected to comply with these Rules, or has been guilty of conduct that breaches the Association's Code of Ethics, or prejudicial to the interests of the Association, the committee may resolve to –
 - (a) Fine that member an amount not exceeding \$1000; or
 - (b) suspend that member from membership of the Association for a specified period; or
 - (c) expel that member from the Association.
- (2) A resolution of the committee under sub-rule (1) does not take effect unless –
 - (a) at a meeting held in accordance with sub-rule (3), the committee confirms the resolution; and
 - (b) if the member exercises a right of appeal to the Association under this Rule, the Association confirms the resolution in accordance with this Rule.
- (3) A meeting of the committee to confirm or revoke a resolution passed under sub-rule (1) must be held not earlier than 14 days, and not later than 28 days, after notice has been given to the member in accordance with sub-rule (4).

- (4) For the purposes of giving notice in accordance with sub-rule (3), the Secretary must, as soon as practicable, cause to be given to the member a written notice –
 - (a) setting out the resolution of the committee and the grounds on which it is based; and
 - (b) stating that the member, or his or her representative, may address the committee at a meeting to be held not earlier than 14 days and not later than 28 days after the notice has been given to that member; and
 - (c) stating the date, place and time of that meeting; and
 - (d) informing the member that he or she may do one or both of the following –
 - (i) attend that meeting;
 - (ii) give to the committee before the date of that meeting a written statement seeking the revocation of the resolution;
 - (e) informing the member that, if at that meeting, the committee confirms the resolution, he or she may not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to the Association in general meeting against the resolution.
- (5) At a meeting of the committee to confirm or revoke a resolution passed under sub-rule (1), the committee must –
 - (a) give the member, or his or her representative, an opportunity to be heard; and
 - (b) give due consideration to any written statement submitted by the member; and
 - (c) determine by resolution whether to confirm or to revoke the resolution.
- (6) If at the meeting of the committee, the committee confirms the resolution, the member may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to the Association in general meeting against the resolution.
- (7) If the Secretary receives a notice under sub-rule (6), he or she must notify the committee and the committee must convene a general

meeting of the Association to be held within 21 days after the date on which the Secretary received the notice.

- (8) At a general meeting of the Association convened under sub-rule (7)

–

(a) no business other than the question of the appeal may be conducted; and

(b) the committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution; and

(c) the member, or his or her representative, must be given an opportunity to be heard; and

(d) the members present must vote by secret ballot on the question whether the resolution should be confirmed or revoked.

- (9) A resolution is confirmed if, at the general meeting, not less than two-thirds of the members vote in person, or by proxy, in favour of the resolution. In any other case, the resolution is revoked.

9. Disputes and Mediation

- (1) The grievance procedure set out in this Rule applies to disputes under these Rules between –

(a) a member and another member; and

(b) a member and the Association.

- (2) The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all parties.

- (3) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a Mediator.

- (4) The mediator must be –

(a) a person chosen by agreement between the parties; or

(b) in the absence of agreement –

- (i) in the case of a dispute between a member and another member, a person appointed by the committee of the Association; or
 - (ii) in the case of a dispute between a member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).
- (5) A member of the Association can be a mediator.
 - (6) The mediator cannot be a member who is party to the dispute.
 - (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation. In a dispute between two members of the Association, both members will be encouraged to engage in a counselling session conducted by a counsellor who is not a party to the dispute.
 - (8) The mediator, in conducting the mediation, must –
 - (a) give the parties to the mediation process every opportunity to be heard; and
 - (b) allow due consideration by all parties of any written statement submitted by any party; and
 - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
 - (9) The mediator must not determine the dispute.
 - (10) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act otherwise at law.

10. Annual General Meetings

- (1) The committee may determine the date, time and place of the annual general meeting of the Association.
- (2) The notice convening the annual general meeting must specify that the meeting is an annual general meeting.

- (3) The ordinary business of the annual general meeting shall be –
 - (a) to confirm the minutes of the previous annual general meeting and of any general meeting held since that meeting; and
 - (b) to receive from the committee reports upon the transactions of the Association during the last preceding financial year; and
 - (c) to elect officers of the Association and the ordinary members of the committee; and
 - (d) to receive and consider the statement submitted by the Association in accordance with section 30 (3) of the Act.
- (4) The annual general meeting may conduct any special business of which notice has been given in accordance with these Rules.

11. Special General Meetings

- (1) In addition to the annual general meeting, any other general meeting may be held in the same year.
- (2) All general meetings other than the annual general meeting are special general meetings.
- (3) The committee may, whenever it thinks fit, convene a special general meeting of the Association.
- (4) If, but for this sub-rule, more than 15 months would elapse between annual general meetings, the committee must convene a special general meeting before the expiration of that period.
- (5) The committee must, on the request in writing of members representing not less than 25% of the total numbers of members, convene a special general meeting of the Association.
- (6) The request for a special general meeting must –
 - (a) state the objects of the meeting; and
 - (b) be signed by the members requesting the meeting; and
 - (c) be sent to the address of the Secretary.
- (7) If the committee does not cause a special general meeting to be held within one month after the date on which the request is sent to the

address of the Secretary, the members making the request, or any of them, may convene a special general meeting to be held not later than 3 months after that date.

- (8) If a special general meeting is convened by members in accordance with this Rule, it must be convened by the committee and all reasonable expenses incurred in convening the special general meeting must be refunded by the Association to the persons incurring the expenses.

12. Special Business

All business that is conducted at a special general meeting and all business that is conducted at the annual general meeting, except for business conducted under the rules as ordinary business of the annual general meeting, is deemed to be special business.

13. Notice of General Meetings

- (1) The Secretary of the Association, at least 14 days, or if a special resolution has been proposed at least 21 days, before the date fixed for holding a general meeting of the Association, must cause to be sent to each member of the Association, a notice stating the place, date and time of the meeting and the nature of the business to be conducted at the meeting.
- (2) Notice may be sent –
 - (a) by email electronic transmission; or
 - (b) if the member requests, by prepaid post to the address appearing in the register of members.
- (3) No business other than that set out in the notice convening the meeting may be conducted at the meeting.
- (4) A member intending to bring any business before a meeting may notify in writing, or by electronic transmission, the Secretary of that business, who must include that business in the notice calling the next general meeting.

14. Quorum at General Meetings

- (1) No item of business may be conducted at a general meeting unless a quorum of members entitled under these Rules to vote, is present at the time when the meeting is to consider that item.
- (2) The lesser of:
 - (a) one-sixth of the membership entitled under these Rules to vote at a general meeting, or
 - (b) 15 entitled members,constitutes a quorum for the conduct of the business of a general meeting.
- (3) If, within half an hour after the appointment time for the commencement of a general meeting, a quorum is not present –
 - (a) in the case of a meeting convened upon the request of members – the meeting must be dissolved; and
 - (b) in any other case – the meeting shall stand adjourned to a time and place to be determined by the committee and this communicated to the membership 48 hours prior to the time at which the meeting is adjourned.
- (4) If at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members personally present (being not less than 8) shall be a quorum.

15. Presiding at General Meetings

- (1) The President shall preside as Chairperson at each general meeting of the Association.
- (2) If the President is absent from a general meeting, or is unable to preside, the members present must select one of their numbers to preside as Chairperson.

16. Adjournment of Meetings

- (1) The person presiding may, with the consent of a majority of members present at the meeting, adjourn the meeting from time to time and place to place.
- (2) No business may be conducted at an adjourned meeting other than the unfinished business from the meeting that was adjourned.
- (3) If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given in accordance with Rule 13.
- (4) Except as provided in sub-rule (3), it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned meeting.

17. Voting at General Meetings

- (1) Upon any question arising at a general meeting of the Association, a member has only one vote.
- (2) All votes must be given personally or by proxy.
- (3) In the case of an equality of voting on a question, the Chairperson of the meeting is entitled to exercise a second or casting vote.
- (4) A member is not entitled to vote at a general meeting unless all moneys due and payable by the member to the Association have been paid.

18. Poll at General Meetings

- (1) If at a meeting a poll on any question is demanded by not less than 3 members, it must be taken at that meeting in such a manner as the Chairperson may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
- (2) A poll that is demanded on the election of a Chairperson or on the question of an adjournment must be taken immediately and a poll that is demanded on any other question must be taken at such a time before the close of the meeting as the Chairperson may direct.

19. Manner of Determining Whether a Resolution is Carried

If a question arising at a general meeting of the Association is determined on a show of hands –

- (a) a declaration by the Chair person that a resolution has been –
 - (i) carried; or
 - (ii) carried unanimously; or
 - (iii) carried by a particular majority; or
 - (iv) lost; and
- (b) an entry to that effect in the minute book of the Association –

is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

20. Proxies

- (1) Each member is entitled to appoint another member as a proxy by notice given to the secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- (2) The notice appointing the proxy must be in a form that contains details of the resolution and specifies how the proxy is to cast their vote.

21. Executive committee

- (1) The affairs of the Association shall be managed by the Executive committee.
- (2) The Executive committee –
 - (a) shall control and manage the business and affairs of the Association; and
 - (b) may, subject to these Rules, the Act and the Regulations, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these

Rules to be exercised by general meetings of the members of the Association; and

(c) subject to these Rules, the Act and the Regulations, has the power to perform all such acts and things as appear to the committee to be essential for the proper management of the business and affairs of the Association.

- (3) Subject to the provisions of the Act, the Regulations and these Rules, the committee may by resolution delegate to any officer or other persons as the committee thinks fit, any of the powers and functions of the committee other than this power of delegation.
- (4) Subject to section 23 of the Act, the committee shall consist of –
 - (a) the officers of the Association; and
 - (b) at least two ordinary members –each of whom shall be elected at the annual general meeting of the Association in each year.
- (5) The Executive committee is required to include at least 2 members who are in the Student category of membership at the time of their election to the committee.

22. Sub-Committees

- (1) A sub-committee of the Association may only be established by the Executive committee.
- (2) A sub-committee is to have no executive power to manage or control the affairs of the Association.
- (3) The Executive committee may establish such sub-committees as it considers necessary to facilitate the objectives of the Association. The Executive committee may delegate to any sub-committee such functions as it considers appropriate and may revoke any such delegation.
- (4) The Executive committee must establish operational guidelines for each sub-committee and a duty statement for its Convenor.
- (5) A convenor of a sub-committee must be a member of the Executive committee.

- (6) Sub-committees which may be appointed by the Executive committee include but are not limited to -
 - (a) The Membership committee;
 - (b) The Professional Development committee.
 - (c) The Communications committee;
 - (d) The Ethics committee;
 - (e) The Complaints committee.

23. Office Holders

- (1) The officers of the Association shall be –
 - (a) a President;
 - (b) a Secretary;
 - (c) a Treasurer; and
 - (d) a Membership Secretary.
- (2) The provisions of Rule 25, so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any other offices referred to in sub-rule (1).
- (3) Each officer of the Association shall hold office until the annual general meeting next after the date of his or her election but is eligible for re-election.
- (4) In the event of a casual vacancy in any office referred to in sub-rule (1):
 - (a) the committee may appoint one of its members to the vacant office and the member appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of appointment; or
 - (b) if no ordinary member of the committee seeks office, the committee may seek a nomination and make an appointment from the general membership.

24. Ordinary Members of the Committee

- (1) Subject to these Rules, each ordinary member of the committee shall hold office until the annual general meeting next after the date of election but is eligible for re-election.
- (2) In the event of a casual vacancy occurring in the office of an ordinary member of the committee, the committee may appoint a member of the Association to fill the vacancy and the member appointed shall hold office, subject to these Rules, until the conclusion of the annual general meeting next following the date of the appointment.

25. Election of Officers and Ordinary Committee Members

- (1) Nominations of candidates for election of officers of the Association or as ordinary members of the committee must be –
 - (a) made in writing; and
 - (b) delivered to the Secretary of the Association not less than 48 hours prior to the time fixed for the holding of the annual general meeting.
- (2) A candidate may only be nominated for one office, or as an ordinary member of the committee, prior to the annual general meeting.
- (3) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated shall be deemed to be elected and further nominations may be received at the annual general meeting.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- (5) If the number of nominations exceeds the number of vacancies to be filled, a ballot must be held.
- (6) The ballot for the election of officers and ordinary members of the committee must be conducted at the annual general meeting in such a manner as the committee may direct.

26. Vacancies

The office of an officer of the Association, or of an ordinary member of the committee, becomes vacant if the officer or member –

- (a) ceases to be a member of the Association; or
- (b) becomes an insolvent under administration within the meaning of the Corporations Law; or
- (c) resigns from the office by notice in writing given to the Secretary.

27. Meetings of the Committee

- (1) The committee must meet at least 6 times in each year at such place and such times as the committee may determine.
- (2) Provided that minutes of the meeting are recorded, a meeting of the committee need not take the form of a physical meeting, but may:
 - (a) employ phone hook-up, or
 - (b) be conducted through email discussion.
- (3) Special meetings of the committee may be convened by the President or by any 4 members of the committee.

28. Notice of Committee Meetings

- (1) Written notice of each committee meeting must be given to each member of the committee at least 2 business days before the date of the meeting.
- (2) Written notice must be given to members of the committee of any special meeting specifying the general nature of the business to be conducted and no other business may be conducted at such a meeting.

29. Quorum for Committee Meetings

- (1) Any 4 members of the committee constitute a quorum for the conduct of the business of a meeting of the committee.
- (2) No business may be conducted unless a quorum is present.

- (3) If within half an hour of the time appointed for the meeting a quorum is not present –
 - (a) in the case of a special meeting – the meeting lapses;
 - (b) in any other case- the meeting shall stand adjourned to a time and place to be determined by the committee.
- (4) The committee may act notwithstanding any vacancy on the committee.

30. Presiding at Committee Meetings

At meetings of the committee –

- (a) the President presides; or
- (b) if the President is absent, or unable to preside, the members present must choose one of their number to preside.

31. Voting at Committee Meetings

- (1) Questions arising at a meeting of the committee, or at a meeting of any sub-committee, shall be determined on a show of hands or, if a member requests, by a poll taken in such a manner as the person presiding at that meeting may determine.
- (2) Each member present at a meeting of the committee, or at a meeting of any sub-committee appointed by the committee (including the person presiding at the committee), is entitled to one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

32. Removal of a Committee member

- (1) Subject to these Rules, if the committee is of the opinion that a member of the committee has failed to adequately carry out their duties as a member of the committee or is guilty of conduct unbecoming a member of the committee or prejudicial to the interests of the Association, the committee may by resolution remove that member as a member of the committee.

- (2) If a member of the committee does not attend three consecutive meetings of the committee without the consent of the remainder of the committee, then that member may be deemed to have failed to adequately carry out their duties as a member of the committee for the purposes of sub-rule (1).
- (3) A resolution of the committee under sub-rule (1) does not take effect unless:
 - (a) the committee, at a meeting held not earlier than 14 and not later than 28 days after the service on the member of a notice under sub-rule (4), confirms the resolution in accordance with this Rule; and
 - (b) if the member of the committee exercises a right of appeal to the Association under this Rule, the Association in General Meeting confirms the resolution in accordance with this Rule.
- (4) For the purposes of giving notice in accordance with sub-rule (3), the Secretary must, as soon as practicable, cause to be served on the member a notice in writing:
 - (a) setting out the resolution of the committee and the grounds on which it is based;
 - (b) stating that the member of the committee or his or her representative may address the committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice;
 - (c) stating the date, place and time of that meeting;
 - (d) informing the member of the committee that he or she may do one or more of the following:
 - (i) attend the meeting;
 - (ii) give to the committee before the date of that meeting a written instrument seeking the revocation of the resolution; or
 - (iii) not later than 24 hours before the date of the meeting, lodge with the Secretary a notice to the effect that he or she wishes to appeal to the Association in General Meeting against the resolution.
- (5) At a meeting of the committee to confirm or revoke the resolution passed under sub-rule (1), the committee must:

- (a) give to the member of the committee or his or her representative an opportunity to be heard;
 - (b) give due consideration to any written statement submitted by the member of the committee; and
 - (c) determine by resolution whether to confirm or revoke the resolution.
- (6) If at a meeting of the committee, the committee confirms the resolution, the member of the committee may, not later than 48 hours after that meeting, give to the Secretary a notice to the effect that he or she wishes to appeal to the association in General Meeting against the resolution.
- (7) Where the Secretary receives a notice under sub-rule (6), he or she shall notify the committee and the committee must convene a General Meeting of the Association to be held within 21 days after the date on which the Secretary received the notice.
- (8) At a general meeting of the Association convened under sub-rule (7)
-
- (a) no business other than the question of the appeal may be conducted; and
 - (b) the committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution; and
 - (c) the member, or his or her representative, must be given an opportunity to be heard; and
 - (d) the members present must vote by secret ballot on the question whether the resolution should be confirmed or revoked.
- (9) A resolution is confirmed if, at the general meeting, not less than two-thirds of the members vote in person, or by proxy, in favour of the resolution. In any other case, the resolution is revoked

33. Minutes of Meetings

- (1) The Secretary of the Association must keep minutes of the resolutions and proceedings of each general meeting, and each committee meeting, together with a record of the names of persons present at committee meetings.

- (2) If the Secretary is absent, the members present must choose one of their number to keep minutes.

34. Funds

- (1) The Treasurer of the Association must –
 - (a) collect and receive all moneys due to the Association and make all payments authorised by the Association; and
 - (b) keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two members of the committee.
- (3) The funds of the Association shall be derived from entrance fees, annual subscriptions, proceeds of workshops, donations and such other sources as the committee determines.
- (4) The Association may not enter into a sponsorship arrangement with any private sector provider of counsellor training or professional development.

35. Seal

- (1) If the Association has a common seal, it must be kept in the custody of the Secretary.
- (2) The common seal must not be affixed to any instrument except by the authority of the committee and the affixing of the common seal must be attested by the signatures either of two members of the committee or, of one member of the committee and of the public officer of the Association.

36. Notice to members

Except for the requirements in Rule 13, any notice that is required to be given to a member, by on behalf of the Association, under these Rules may be given by –

- (a) delivering the notice to the member personally; or
- (b) electronic transmission, if the member has agreed that the notice be given to him or her in this manner, or
- (c) facsimile transmission, if the member has requested that the notice be given to him or her in this manner; or
- (d) sending it by prepaid post addressed to the member at that member's address shown in the register of members.

37. Winding Up

- (1) In the event of the winding up or the cancellation of the incorporation of the Association, the assets of the Association must be disposed of in accordance with the provisions of the Act.
- (2) Voluntary winding up of the Association must be by special resolution approved at a general meeting of the Association.
- (3) The special resolution proposing the voluntary winding up of the association must specify that the assets of the Association will be donated to a charity selected by general meeting.

38. Custody and Inspection of Books and Records

- (1) Except as otherwise provided in these Rules, the Secretary must keep in his or her custody or under his or her control all books, documents and securities of the Association.
- (2) Subject to Rule 5, all accounts, books, securities and any other relevant documents of the Association must be available for inspection free of charge by any member upon request.
- (3) Subject to Rule 5, a member may make a copy of any accounts, books, securities and any other relevant documents of the Association.