

Cleaning Accountability Framework Limited

Rules governing the use of the CAF certification trade
mark

Trade Marks Act 1995 (Cth)

IN THE MATTER OF certification trade mark application for the 'CAF' certification series trade mark in the name of Cleaning Accountability Framework Limited

RULES GOVERNING THE USE OF THE CERTIFICATION MARKS

1 Introduction

- (a) The Proprietor is an independent entity comprised of representatives from the property services sector.
- (b) The Proprietor's objective is to identify best practice tendering and compliance practices in the property services industry that support quality-focused services, fair wages and legislated labour standards.
- (c) The Proprietor wishes to set the rules which govern the use of the Certification Marks by Certified Users and, in so doing, set out the Standards which must be met in order for an Applicant to use the Certification Marks in association with the Premises.

2 Definitions

Applicant means a building proprietor or building lessee of a Premises.

Assessment Report has the meaning given to it in paragraph 4.1(c)(ii).

Auditor means the auditor or assessor who may be selected by the Proprietor in accordance with paragraph 5.

Business Day means a day that is not a Saturday, Sunday or public holiday in Sydney, New South Wales.

CAF Remediation Procedure means the process of investigation and remediation of issues discovered as a result of the Certification Process as notified to the Applicant.

Conflict of Interest Policy means the conflict of interest policy adopted by the Panel as set out in Annexure C as amended from time to time.

Certified or **Certification** means a determination by the Proprietor that an Applicant has met the Standards.

Certification Marks means the certification trade marks filed with IP Australia set out in the Annexure A.

Certification Process means the process for determining whether an Applicant has met the Standards and qualify as a Certified User as set out in paragraph 4.

Certification Reports means the Assessment Report and the Worker Engagement Report.

Certified User means an Applicant who meets the Standards, has demonstrated compliance with these Rules and is permitted to use Certification Marks in accordance with these Rules.

Core Principles means the core principles set out in paragraph 4.2.

Panel means a panel constituted by the Proprietor to review the findings arising out of the Certification Process to determine whether an Applicant has met the Standards.

Panel Governance Guidelines means the panel governance guidelines set out in annexure B as amended from time to time.

Premises means the premises (including a building, store, campuses or a part of a building (as the case may be)) for which the Applicant intends to seek Certification in respect of.

Proprietor or CAF means the Cleaning Accountability Framework Limited, registration number A0061901F of 19-37 Greek St, Glebe, NSW 2037.

Proprietor Terms and Conditions means the Proprietor terms and conditions located at <https://www.cleaningaccountability.org.au/terms-and-conditions/> as amended from time to time.

Rules means these rules governing the use of the Certification Marks and includes any amendments and any further rules made by the Proprietor from time to time.

Standards means standards in relation to tendering, contracting and compliance practices in the property services industry that support quality-focused services, fair wages and legislated labour standards, (as set out in the schedule and amended from time to time) which an Applicant must meet in order to be authorised to use the Certification Marks in association with a particular Premises and to qualify for the grant of a Trade Mark Licence.

Trade Mark Licence means the trade mark licence agreement to be entered into by CAF and a Certified User which grants the Certified User the right to use the Certification Marks in relation to a particular Premises.

Union means the union engaged by the Proprietor from time to time to assist with conducting the Worker Engagement Assessment.

Worker Engagement Assessment has the meaning given to it in paragraph 4.1(d).

Worker Engagement Report means the report compiled by the Proprietor and the Union following the Worker Engagement Assessment.

3 Certification Marks

- (a) The Proprietor is the owner of the Certification Marks in Australia.
- (b) The function of the Certification Marks is to certify that the Applicant has met the Standards in respect of a particular Premises.
- (c) A Certified User may use or display the Certification Marks only in accordance with these Rules and any Trade Mark Licence, or otherwise with the express consent of the Proprietor.
- (d) Subject to paragraph 3(g), the Proprietor may from time to time prescribe additional Standards and other guidelines and directions for Applicants to meet in order to be Certified. Any additional Standards, guidelines or directions or changes to the foregoing may be as a result of changes in laws (including any applicable employment or workplace relations laws), regulations or any government guidelines, policies or codes which a Certified User is required to comply with.

- (e) A Certified User may only use the Certification Marks in respect of the provision of a Premises, and not from, or in association with, any other premises.
- (f) The Panel will determine which of the Certification Marks the Certified User will be permitted to use, depending on the extent to which the Certified User can demonstrate that it can meet the Standards at the Premises.
- (g) Any changes to the Standards will not invalidate any prior Certification.
- (h) If a Certified User moves to a different premises, the Certified User will be required to go through a further Certification Process in order to maintain its Certification in respect of that different premises.

4 Certification Process

4.1 Certification Process

To determine whether an Applicant meets the Standards, the Applicant must demonstrate to the Proprietor compliance with the applicable Standards at the Premises by undertaking the following process.

- (a) The Applicant must first fill out the application form and provide this to the Proprietor, available at <https://www.cleaningaccountability.org.au/apply/> (as updated from time to time).
- (b) Upon receiving the application form in accordance with paragraph 4.1(a), the Proprietor may:
 - (i) request further information from the Applicant in order for the application to progress;
 - (ii) arrange a discussion with the Applicant in order to obtain further information from the Applicant, and to discuss its application; or
 - (iii) accept the application form, and proceed further with the application.
- (c) Upon accepting the application form pursuant to paragraph 4.1(b):
 - (i) the Applicant must provide all documents requested by the Proprietor within two weeks of acceptance;
 - (ii) the Proprietor (or through its nominated Auditor) will undertake a review of the Applicant's compliance with the Standards, and deliver findings to the Panel regarding an Applicant's compliance with the Standards in accordance with paragraph 4.3 (**Assessment Report**).
- (d) The Proprietor will separately work with the Union to conduct a worker engagement assessment in accordance with paragraph 4.4 (**Worker Engagement Assessment**) to generate the Worker Engagement Report.
- (e) The Assessment Report and the Worker Engagement Report will be submitted to the Panel, and the Panel will decide whether an Applicant has met the Standards for an Applicant to be licensed to use the Certification Marks in association with a Premises in accordance with paragraph 4.5.
- (f) At all times during the Certification Process, the Applicant:

- (i) is responsible for the full cooperation of other relevant supply chain stakeholders involved in Certification; and
- (ii) must not be in breach of the Proprietor Terms and Conditions.

4.2 Core principles

The Proprietor will adopt, and will ensure that any nominated Auditor and the Panel adopts, the following core principles when considering an Applicant for Certification:

- (a) any follow up by the Applicant based on recommendations arising out of the Assessment Report or Worker Engagement Report must be based on evidence as opposed to promises of compliance;
- (b) all issues regarding legal non-compliance of the Standards must be fully rectified before an Applicant can seek Certification of a Premises;
- (c) the Proprietor or the Panel may prevent Certification being awarded until any identified issues of non-compliance with oversight processes have been addressed and/or rectified;
- (d) an Applicant will be afforded an opportunity to rectify any deficiencies in meeting the Standards in a reasonable period of time; and
- (e) an Applicant may resubmit an application for a Premises to be Certified where it fails to obtain Certification.

4.3 Applicant assessment

- (a) The Proprietor will conduct, or may appoint an Auditor to conduct on its behalf, an assessment of the Applicant's compliance with the Standards and generate a report of its findings.
- (b) In order for the Proprietor to conduct its review, the Applicant must provide all reasonable assistance, and provide all reasonable information to the Proprietor (or its nominated Auditor), in order for the Provider (or its nominated Auditor) to conduct its report, including by providing:
 - (i) employee records;
 - (ii) employee timesheets; and
 - (iii) employee policies and procedures,
 - (iv)or such other information as requested by the Proprietor (or its nominated Auditor).
- (c) Where an Auditor is engaged pursuant to this paragraph 4.3, the Proprietor must ensure that the Auditor:
 - (i) completes its report within a reasonable period of time.
 - (ii) will provide a final report outlining its findings to the Proprietor for consideration.

- (d) The Proprietor will then generate the Assessment Report in order for the Proprietor to establish requirements and recommendations to the Panel in accordance with paragraph 4.5.

4.4 Worker Engagement Assessment

- (a) The Proprietor will undertake an assessment in conjunction with an authorised representative of the Union of a Premises' compliance with the Worker Engagement Assessment, and seek feedback from employees or contractors who undertake work at the Premises about their working conditions as they relate to the Standards.
- (b) In order for the Proprietor and the Union to conduct its review, the Applicant must provide all reasonable assistance, and provide all reasonable information, in order for the Proprietor or Union to conduct its report, including by:
 - (i) ensuring Workers or Contractors who work in the Premises are available for meetings with the Proprietor or the Union (as required);
 - (ii) providing employee listings; and
 - (iii) employee timesheets/rosters.
- (c) The Proprietor will provide a final Worker Engagement Report outlining the findings of the Proprietor and the Union and provide this to the Panel.

4.5 Certification

- (a) The Proprietor will procure that the Panel will undertake the following steps in order to determine an Applicant's compliance with the Standards:
 - (i) make a decision on whether the Applicant has sufficiently met the applicable Standards criteria by considering the information in paragraph 4.5(b);
 - (ii) act in accordance with the core principles as set out in paragraph 4.2; and
 - (iii) within 10 Business Days of making a decision in accordance with paragraph 4.5(a)(i), prepare a letter to be sent to the relevant stakeholders (including the Applicant, the Proprietor and the Union) and the Applicant outlining the recommendation(s) of the Panel.
- (b) The Proprietor will allow the Panel to take into account the following information prior to making a decision:
 - (i) recommendations presented in the Certification Reports;
 - (ii) requirements or recommendations presented by the Proprietor;
 - (iii) feedback from workers received through worker engagement channels; and
 - (iv) any follow up or additional commentary provided by relevant parties as part of the Certification Process.
- (c) The Proprietor permits the Panel to revoke certification in accordance with the Proprietor Terms and Conditions.
- (d) Where the Applicant has successfully achieved Certification, the Proprietor will issue a certificate to the Applicant attesting to this fact and upon signing and returning to the Proprietor the Trade Mark Licence.

- (e) Where an Applicant has failed to achieve Certification, the Proprietor will provide recommendations and assistance on how the Applicant can rectify any deficiencies in complying with the Standards.

4.6 Opportunity to address non-compliance

- (a) If the Proprietor or the Panel identifies any non-compliance with the Standards, the Proprietor will inform the Applicant or their person or entities involved in the Certification Process (which may include Workers or Contractors) in accordance with the CAF Remediation Procedure.
- (b) As part of the Certification Process, an Applicant will have the opportunity to address any issues which are identified in the course of the assessment and the Worker Engagement Assessment conducted by the Proprietor (or its nominated Auditor) and the Union prior to the Certification Reports being finalised.
- (c) The Applicant will have an opportunity to remedy any non-compliance, and must submit evidence of compliance to the Proprietor which it may accept or reject in its reasonable discretion. If the Applicant is unable to show compliance with the Standards, the Applicant may repeat its application in its sole discretion.
- (d) Any outstanding issues at the time of the submission of the final Certification Reports may be subject to a follow up assessment and may entail additional fees.

4.7 Responsibility & revocation

- (a) The Proprietor will take all care in seeking to verify that the applicable Standards are being applied, but is in no way responsible for ensuring on-going compliance by a Certified User.
- (b) Should evidence be received by the Proprietor that the Standards are not being complied with by an Applicant, the Proprietor will raise this with the Applicant and seek a response to, and rectification of, any non-compliance by the Authorised User of the Standards within 10 Business Days of the Proprietor notifying the Certified User of its non-compliance.
- (c) The Proprietor reserves the right to withdraw Certification from a Certified User at any time where the Certified User fails to rectify any non-compliance to the satisfaction of the Proprietor (acting reasonably) in accordance with paragraph 4.7(b).

4.8 Costs

All costs associated with applying for Certification will be borne by the Applicant, including any application costs as set out in the Proprietors website located at <https://www.cleaningaccountability.org.au>.

5 Auditors and the Union

- (a) Auditors approved to undertake the assessment of the Applicant's compliance with Standards will be at the sole discretion of the Proprietor.
- (b) The Proprietor must ensure that the Auditor:
 - (i) is independent of the Proprietor;
 - (ii) has appropriate experience in report of workplace relations or the property services industry; and

- (iii) is knowledgeable about labour rights and employment practices; and
- (iv) has successfully completed any required testing provided by the Proprietor.
- (c) Where the Proprietor nominated an Auditor to undertake the applicant assessment in accordance with paragraph 4.3, the Proprietor will assign to the Applicant an Auditor that meets the criteria in paragraph 5(b).
- (d) When considering information such as company records, policies and procedures the Proprietor will ensure the Auditor treats this as the confidential information of the Applicant other than to the extent to provide a report to the Proprietor.
- (e) In respect of the Worker Engagement Assessment, the Proprietor will assign Proprietor personnel trained in assessing compliance with the Standards to undertake an assessment together with an appropriately qualified representative of the Union.
- (f) All personnel involved in verifying an Applicant's compliance with the Standards will be required to act in accordance with the Core Principles.

6 Panel

6.1 Representation of Panel

The Proprietor will ensure the Panel is representative of the multi-stakeholder nature of CAF, and be collectively knowledgeable in this industry in respect of Certification, labour rights, and employment practices.

6.2 Role of the Panel

- (a) The role of the Panel is to consider Certification Reports and on this basis decide whether an Applicant should be a Certified User.
- (b) The Panel will act as the forum for raising and considering any disputes related to Certification and make a decision based on these disputes in accordance with the Proprietor Terms and Conditions.
- (c) The Proprietor will ensure that the Panel will act in accordance with the Panel Governance Guidelines.

6.3 Responsibilities

The Panel is responsible for:

- (a) reviewing the Certification Reports provided by the Proprietor, and providing recommendations as to whether the Applicant should be Certified for having met the Standards in respect of the Premises;
- (b) making recommendations that address any issues identified in the Assessment Report, Worker Engagement Report, or any other report. Recommendations should aim to result in the Applicant being Certified or maintaining Certification. Appropriate deadlines for the implementation of any recommendation will be established;
- (c) managing disputes in accordance with the Proprietor Terms and Conditions;
- (d) declaring and managing any conflicts of interest in accordance with the Conflict of Interest Policy;

- (e) making a decision on whether the Applicant should have its Certification revoked at the Premises; and
- (f) report to the Board at its meetings which shall include:
 - (i) the number and types of Certifications issued;
 - (ii) the number and types of Certification applications received;
 - (iii) the number of disputes and revocations; and
 - (iv) any identified non-compliance issue that impacts the credibility of the certification scheme.

6.4 Authority

The Panel is authorised by the Board. The Panel must seek endorsement from the Board for any changes to the composition, roles and responsibilities of the Panel.

6.5 Integrity and accountability

- (a) Panel members are required to abide by the Core Principles.
- (b) The Proprietor will ensure that Panel members are bound by the Conflict of Interest Policy.
- (c) The Conflict of Interest Policy states, amongst other things, that a member of the Proprietor (including any subcommittees) or the Panel must disclose any material personal interest or any potential or perceived conflict of interest.
- (d) A member with a material personal interest in a matter:
 - (i) must not be present while the matter is being considered; and
 - (ii) must not vote on the matter.
- (e) The Panel will consult with the Board on relevant issues pertaining to conflicts.

7 Use of the Certification Marks

- (a) CAF is the sole proprietor of the Certification Trade Marks. No other entity may use the Certification Trade Marks unless granted permission as per the Trade Mark Licence. Any other entity authorised to use the mark must do so in accordance with the terms set out in the Trade Mark Licence.
- (b) Where an entity has been granted a licence to use the Certification Marks, this will be granted on a non-exclusive non-transferrable basis valid from the date the Trade Mark Licence is signed.
- (c) A Certified User is eligible to use the Certifications Marks where the Certified User has:
 - (i) achieved Certification of the relevant Standard;
 - (ii) maintain the relevant Standards for the duration of the Certification;
 - (iii) been granted a Licence by the Proprietor under the Trade Mark Licence; and

- (iv) paid all required fees in full.
- (b) Where an Applicant is an owner or a lessee of a Premises, the Certification Marks must only be used in connection with the Premises which is the subject of the Certification.

8 Dispute resolution procedure

Any dispute under these Rules must be made in accordance with the dispute resolution procedure set out in the Proprietor Terms and Conditions.

Schedule - Standards

CAF 3 Star Standard

	<p>CAF Standard 1. Labour</p> <p>This standard assesses compliance with the Fair Work Act 2009 (FWA), the National Employment Standards (NES) and any applicable industrial instrument e.g. Cleaning Services Award 2010 or collective agreement, tax and superannuation obligations relating to the employment of cleaners, and legislation governing the employment of temporary or migrant workers.</p> <p>Assessable elements:</p> <ul style="list-style-type: none"> • Employment policies and procedures • Conditions of employment • Record keeping • Induction and training • Job security at change of contract • Freedom of association
	1A) Employment policies and procedures
1A.1	Maintain relevant employment policies and procedures.
1A.2	Educate employees on their workplace rights.
1A.3	Prevent sham contracting.
1A.4	Provide a workplace of free and voluntary employment.
1A.5	Provide a workplace free from abuse, harassment and discrimination.
1A.6	Ensure cleaners are supported to raise workplace grievances or disputes and/or instances of bullying and harassment.
1A.7	Maintain appropriate policies and procedures to ensure correct employment of overseas workers.
1A.8	Obtain and maintain a license with the Victorian Labour Hire Licensing Authority (where relevant).
	1B) Conditions of employment

1B.1	Employees are provided with a written form of engagement or contract.
1B.2	Employees receive a duty/work schedule outlining their duties.
1B.3	Employees are paid in accordance with the Award or Agreement. Where the Award rate is higher than the rate in the Agreement, employees are paid at the higher rate.
1B.4	Pay employees' wages into their bank accounts (no cash wages).
1B.5	Manage overtime and penalty rates in accordance with the relevant Award or Agreement.
1B.6	Provide employees with correct paid and unpaid leave entitlements (annual, personal and carers' leave, parental leave, family and domestic violence leave, compassionate leave, and any other form of leave specified in any applicable industrial instrument).
1B.7	Comply with any Portable Long Service Leave legislation applicable in the jurisdiction.
1B.8	Comply with all superannuation guarantee and tax obligations relating to employees, including PAYG withholding and ATO reporting obligations.
	1C) Record keeping
1C.1	Maintain records relating to employment, working hours, wages, superannuation, leave entitlements (all types), in accordance with relevant legislation.
1C.2	Ensure accurate and timely payment of wages and provision of pay slips.
1C.3	Ensure pay slips contain all required information, and in addition, employees' annual leave balance.
	1D) Induction and training
1D.1	Provide a mandatory paid general and WH&S induction to all new employees.
1D.2	Provide ongoing paid training for workers.
	1E) Job security at change of contract
1E.1	Cleaners are offered the opportunity to continue working at the site when there is a change of cleaning contract. Redeployment and redundancy provisions apply where cleaners do not wish to stay on.
	1F) Freedom of association
1F.1	All stakeholders recognise and uphold the right of cleaners to join and be represented by a union, without hindrance or discrimination.
	CAF Standard 2. Responsible Contracting

	<p>This standard seeks to ensure that contract cleaning services are procured, delivered and managed transparently and responsibly.</p> <p>In order to promote transparent and ethical pricing of cleaning contracts, CAF has determined benchmarks for productivity rates and on-costs. This is to determine whether the contract is sufficient to enable cleaners (including employees of any subcontractors) to work within safe productivity levels and be paid at least minimum wages and entitlements.</p> <p>The CAF benchmarks are used to assess whether enough resources have been allocated to the contract to enable compliance with the CAF 3 Star Standard. This includes payment of at least minimum legal wages to cleaners; the provision of statutory entitlements such as annual leave, personal leave and superannuation; and sufficient time for cleaners to complete their work that prevents WHS incidents and underpayment.</p> <p>Subcontracting, where undertaken, is to be conducted transparently and responsibly.</p>
	2A) Productivity rates
2A.1	Meet the CAF benchmarks for productivity rates.
	2B) Subcontracting
2B.1	Subcontracting of core cleaning services is only undertaken with the agreement of the owner.
2B.2	If subcontracting of core cleaning services is carried out, do so in compliance with contract conditions and ensure that the employment conditions provided to subcontracted staff are no less favourable than those provided to directly employed staff under the conditions set out in the principal contract.
2B.3	Monitor and enforce subcontractors' compliance with labour standards.
	2C) Transparency
2C.1	All stakeholders commit to supply chain transparency.
2C.2	Relevant stakeholders ensure access to documents to permit assessment of compliance with the CAF Standard.
	CAF Standard 3. Safe working conditions

	This standard aims to ensure a safe working environment is provided for cleaners. It assesses compliance with Workplace Health and Safety (WHS) legislation, workers' compensation and public liability insurance obligations, and provision of adequate training, equipment, supplies and personal protective equipment to ensure cleaners' safety.
3.1	Maintain appropriate certification and insurances.
3.2	Maintain and implement appropriate WHS policies and procedures.
3.3	Disclose any WorkCover and public liability insurance obligations.
3.4	Provide employees with adequate materials, equipment and personal protective equipment (PPE) to enable them to safely complete their duties. Ensure systems are in place for cleaners to report low stock, malfunction or breakage of any materials or equipment.
3.5	Provide ongoing training to employees to ensure they are working safely.
	CAF Standard 4. Financial viability The purpose of this standard is to ensure that cleaners and the Owner/Manager can have confidence in the financial viability and responsibility of the Cleaning Contractor.
4.1	Appropriate financial viability checks are undertaken by the Owner when engaging the Cleaning Contractor at the site and periodically throughout the life of the contract.
4.2	The Cleaning Contractor's audited financial statements do not indicate solvency issues.
	CAF Standard 5. Worker engagement This standard assesses whether cleaners have been sufficiently educated about and involved in the CAF certification process and are able to provide reliable verification that their workplace is complying with the CAF Standard.
5.1	Cleaners attend a minimum of one CAF meeting each year in paid time.
5.2	Cleaners are educated and engaged on the CAF Standard and are encouraged to provide feedback on their working conditions without fear of negative consequences.
5.3	Cleaners at the site nominate one or more CAF Representatives to represent them within CAF and to monitor ongoing compliance with the Standard.
	CAF Standard 6. Issue identification and remediation In line with businesses' responsibility to remediate labour rights violations that occur in their operations and supply chains, this standard aims to ensure accountability with the CAF Standard throughout the supply chain by ensuring all relevant stakeholders

	play an active role in investigating and remediating issues both during the certification process and throughout the certification period.
6.1	Participate in good faith in agreed CAF processes to identify, investigate and remediate any breaches of the CAF Standard.

Annexure A - Certification Marks

1 Three star Certification Mark



3 STAR

2 Four star Certification Mark



4 STAR

3 Five star Certification Mark



5 STAR

Annexure B - Panel Governance Guideline

CAF Certification Panel Governance

Role

The role of the Panel is to consider assessment reports and on this basis decide whether a building should be awarded a CAF 3 Star rating, or a cleaning contractor should be CAF prequalified. The Panel will also act as the forum for raising and considering any disputes related to CAF certification and prequalification, as per the *CAF Dispute Resolution Procedure* (found in the CAF [Terms and Conditions](#)).

Responsibilities

The Panel is responsible for:

- a) Reviewing the CAF supply chain assessment report, the worker engagement report provided by CAF and United Workers Union, and any other relevant information provided by participating parties;
- b) On the basis of the above, determining follow up actions required to address any non-compliance, or deciding whether a building or cleaning contractor meet the nominated CAF Standard;
- c) On an ad-hoc basis, determine whether a building or contractor continues to meet the CAF Standard (e.g. where a non-compliance has been identified);
- d) Manage disputes in accordance with the *CAF Dispute Resolution Procedure*;
- e) Declare and manage any conflicts of interest in accordance with CAF's *Conflict of Interest Policy*;
- f) Make a decision where a case is made for revocation of certification/prequalification; and
- g) Report to the CAF Board at its meetings. Reports will include:
 - o the number and types of certifications and pre-qualifications issued;
 - o the number and types of certification applications received;
 - o the number of disputes and revocations; and
 - o any identified non-compliance issue that impacts the credibility of the CAF Rating Scheme or organisation.

Certification Review

The Panel takes into account the following information when reviewing the supply chain assessment and worker engagement reports:

- findings of the CAF supply chain assessment;
- feedback from cleaners received through worker engagement channels; and
- any reports, follow-up or additional commentary provided by relevant parties as part of the certification/prequalification process.

After considering the CAF supply chain assessment report and worker engagement report (and any other relevant materials), the Panel will have 14 business days to outline its findings to all participants. The Panel reserves the right to revoke certification/prequalification in accordance with the *CAF Terms and Conditions*.

Authority

The Panel is authorised by the CAF Board. The Panel must seek endorsement from the CAF Board for any changes to the composition, roles and responsibilities of the Panel.

Composition

The composition of the Panel is established by the CAF Board and will be multi-stakeholder in nature to reflect the composition of CAF as an organisation. The Panel will comprise:

- Chairperson
 - Chair of the CAF Board
- Members
 - CAF Secretariat (non-voting)
 - United Workers Union representative
 - University of Technology Sydney representative
 - Fair Work Ombudsman representative (non-voting)
 - Business/employer representative

In the Chair's absence, the Panel may elect an interim Chairperson from its members, including a non-voting member.

No business may be carried out unless a quorum is present, in this case a majority of Panel members.

Members may nominate a proxy to attend a meeting on their behalf with prior approval from the CAF secretariat. The proxy must be from the same organisation as the Member and will have the same voting rights.

The work of the Panel may take place either via meetings or written correspondence.

Integrity and Accountability

Members are required to abide by the CAF Core Principles.

Panel members are bound by CAF's *Conflict of Interest Policy*. This policy provides that a member of the CAF Certification Panel must disclose any material personal interest or any potential or perceived conflict of interest. A member with a material personal interest in a matter:

- must not be present while the matter is being considered; and
- must not vote on the matter.

The Panel will consult with the CAF Board on relevant issues pertaining to conflicts.

Administration

Panel meetings take place as required and with at least 10 business days' notice.

Declaration of any conflict of interest will be a standard agenda item. Any conflict of interest is declared in accordance with CAF's *Conflict of Interest Policy*.

Annexure C - Conflict of Interest Policy

Cleaning Accountability Framework (CAF)

Conflict of Interest Policy

1. Purpose

The purpose of this policy is to help members of the CAF Board, CAF Committees, and CAF staff to effectively identify, disclose and manage any actual, potential or perceived conflicts of interest in order to protect the integrity of CAF and manage risk.

2. Objective

The CAF Board aims to ensure that Board members, Committee members and staff are aware of their obligations to disclose any conflicts of interest that they may have, and to comply with this policy to ensure they effectively manage those conflicts of interest as representatives of CAF.

3. Scope

This policy applies to members of the CAF Board, CAF Committees and CAF staff. While members of CAF's Technical Advisory Group are invited to disclose conflicts of interest as they arise at meetings of that group, as an advisory (rather than decision making) body, the group is not formally bound by this policy.

4. Definition of conflicts of interests

A conflict of interest occurs when a person's personal interests conflict with their responsibility to act in the best interests of the company. Personal interests include direct interests as well as those of family, friends, or other organisations a person may be involved with or have an interest in (for example, as a shareholder). It also includes a conflict between a member's duty to CAF and another duty that the Board member has (for example, to another association). A conflict of interest may be actual, potential or perceived and may be financial or non-financial.

These situations present the risk that a person will make a decision based on, or affected by, these influences, rather than in the best interests of the company and must be managed accordingly.

5. Policy

This policy has been developed because conflicts of interest commonly arise, and do not need to present a problem to CAF if they are openly and effectively managed. It is the policy of CAF as well as a responsibility of the Board, that ethical, legal, financial or other conflicts of interest be avoided and that any such conflicts (where they do arise) do not conflict with the obligations to CAF.

The CAF Board will manage conflicts of interest by requiring members and staff to:

- identify and disclose any conflicts of interest
- carefully manage any conflicts of interest, and
- follow this policy and respond to any breaches.

5.1 Responsibility of the CAF Board

The CAF Board is responsible for:

- establishing a system for identifying, disclosing and managing conflicts of interest across CAF
- monitoring compliance with this policy, and
- reviewing this policy on an annual basis to ensure that the policy is operating effectively.

5.2 Identification and disclosure of conflicts of interest

Once an actual, potential or perceived conflict of interest is identified, it must be entered into CAF's register of interests, as well as being raised with the CAF Board or a Committee. The register of interests must be maintained by CAF's Executive Officer, and record information related to a conflict of interest (including the nature and extent of the conflict of interest and any steps taken to address it).

Only Board members and the Chairs of Committees will be able to access the register of interests.

6. Action required for management of conflicts of interest

6.1 Conflicts of interest of Board or Committee members

Once the conflict of interest has been appropriately disclosed, the Board or Committee (excluding the member disclosing and any other conflicted member) must decide whether or not those conflicted members should:

- vote on the matter (this is a minimum),
- participate in any debate, or
- be present in the room during the debate and the voting.

In exceptional circumstances, such as where a conflict is very significant or likely to prevent a member from regularly participating in discussions, it may be worth the Board or Committee considering whether it is appropriate for the person conflicted to resign from the Board or Committee.

Under CAF's Constitution, a Board member who has material personal interest in a matter being considered at a Board meeting must disclose the nature and extent of that interest to the Board and must not:

- be present while the matter is being considered at the meeting; and
- must not vote on the matter.

6.2 What should be considered when deciding what action to take

- In deciding what approach to take, the Board or Committee will consider whether the conflict needs to be avoided or simply documented
- whether the conflict will realistically impair the disclosing person's capacity to impartially participate in decision-making
- alternative options to avoid the conflict
- CAF's objects and resources, and
- the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of CAF.

The approval of any action requires the agreement of at least a majority of Board or Committee members (excluding any conflicted member/s) who are present and voting at the meeting. The action and result of the voting will be recorded in the minutes of the meeting and in the register of interests.

7. Compliance with this policy

If the CAF Board has a reason to believe that a person subject to the policy has failed to comply with it, it will investigate the circumstances.

If it is found that this person has failed to disclose a conflict of interest, the Board may take action against them. This may include seeking to terminate their relationship with CAF.

If a person suspects that a Board or Committee member has failed to disclose a conflict of interest, they must notify the Chair of that body.

Contacts

For questions about this policy, contact CAF's Executive Officer.