

Fit and Proper Person Policy

Fact box

- **Policy owner:** Chair of Council
- **Policy category:** Governance: Council
- **Policy status:** Approved
- **Approval body:** Council
- **Endorsement body:** Executive
- **Related policies:**
 - [Council Standing Committees Terms of Reference Policy](#)
 - [Governance Framework Policy](#)
- **Last amended:** 26th March 2025
- **Relevant HESF:**

Purpose

The purpose of this Policy is to ensure that the interests of Alphacrucis University College (AC) students, staff, and other stakeholders are managed and overseen competently and by honest and trustworthy individuals.

Scope

All Council members and all Executive Members.

Policy

Definition

Fit and proper person: a person who is:

- Competent – they have the skills, knowledge and experience needed to perform the requirements of the role
- Of good character – they are diligent, honest and have good judgement and integrity
- Law abiding – not disqualified by law from performing their role
- Free of conflicts of interest that would influence their ability to carry out their role and function.

This evaluation ensures that only individuals that uphold high standards of conduct and professionalism can manage or influence Alphacrucis University College, thereby protecting the interests of students and maintaining the integrity of the institution.

Policy

All AC Council members must be fit and proper to fulfil both their individual and collective duties. In order to meet a standard of fitness and propriety, relevant persons must have appropriate knowledge, skills and experience as required for their position, and must act with honesty and integrity.

AC must clearly document the required level knowledge, skills and experience for each position.

In determining whether a person is proper to hold a position on Council, AC shall consider the following factors, which, though not exhaustive, include whether the person has:

- resisted compliance with legal obligations or regulatory requirements;
- been misleading or untruthful in dealing with regulatory bodies;
- perpetrated or participated in discreditable professional practices;
- been reprimanded or terminated from a position in relation to matters relating to the person's honesty, integrity or business conduct;
- ever been the subject of civil or criminal proceedings;
- a conflict of interest that will influence their ability to carry out their role and function.

Demonstration of one or more of the above criterion may not, in itself, exclude an individual from being fit and proper. However, demonstration of one or more of the above criterion shall necessitate further consideration of a person's status or suitability to be appointed or continue to act in a position of key responsibility.

In order to make sure that the fitness requirements are met and maintained, if a fit and proper assessment shows that a person does not have up to date knowledge in a required area, the person must undertake any training reasonably required by AC so as to meet or to continue to meet the required level of knowledge and skills.

Requirement to continue to satisfy the standard for fitness and propriety

All persons who hold positions of key responsibility are required to satisfy the required standards for fitness and propriety on a continuing basis.

Responsible for implementation

President

Key stakeholders

Whole of AC

Procedures

Fit and Proper Person Procedure

Assessment of the fitness and propriety of a person considered for a position on the Council is to be made by the Membership and Selection Committee.

The proposed appointee is required to:

- complete and sign a Fit and Proper Persons Declaration;
- provide copies of their resume and relevant qualifications;
- consent to AC obtaining and verifying information for the purpose of assessing their fitness and propriety as well as various background checks;
- consent to AC obtaining a police check;
- agree to comply with the request to undertake any training reasonably required by AC so as to meet or to continue to meet the required level of knowledge and skills.
- If the proposed appointee is considered to be fit and proper in respect to the position of responsibility, then the Membership and Selection Committee shall:
- verify the information provided;
- obtain a police check;
- offer the proposed appointee the position and have them sign a consent to appointment.

Continuing to satisfy the standard for fitness and propriety

As all members of Council are required to satisfy the required standards for fitness and propriety on a continuing basis, all members of Council must inform AC immediately if:

- There is a change in circumstances that affects or may affect their ability to continue meeting the standards for fitness and propriety

Each person must reaffirm annually, by written declaration, that the information given in their initial declaration has not changed. Each declaration is to be submitted to the Membership and Selection Committee.
