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REGISTRATION
OPTIONS

FACE TO FACE
OR ONLINE

14TH ANNUAL CHARITIES & NOT FOR PROFITS CONFERENCE

Managing Risk and Responsibility Across Complex Charity Structures

Strengthening Governance and Accountability Under the ACNC Standards

The ACNC's Updated Guidance on Public Benevolent Institution Registration

What Bird v DP Means for Charities and NFPs

Meeting Child Safe Standards Across Australia

Rethinking Donor Data Retention and Privacy Compliance

Managing Psychosocial Hazards in Charities and NFPs

Proactive Prevention of Sexual Harassment in the Charities and NFP sector

Classifying Workers, Contractors and Volunteers

Under the New Section 15AA Framework

The Intersection of Fixed Term Contracts and Project-based Funding

A 1½ day Conference

Thursday 28 and Friday 29 May 2026

Marriott Hotel Melbourne or Online

Feedback from last year's conference:

- Exceptionally engaging speakers, with extensive knowledge in their subject areas.
- The agenda and speakers provided an interesting mix of topics and resources. The event organisation and venue facilities were excellent.
- Excellent conference again this year, thank you!
- I was unsure about the relevance of some of the presentations, but almost all of them were relevant and ALL had great information.



Your Trusted CPD Partner for more than 50 Years

DAY 1: THURSDAY 28 MAY 2026

**CHAIR DAY 1: MURRAY BAIRD,
PRINCIPAL MURRAY BAIRD
ADVISORY AND CONSULTANT
PROLEGIS LAWYERS, MELBOURNE**

**MORNING THEME: GOVERNANCE,
REGULATORY STANDARDS AND ACNC
EXPECTATIONS**

9.00 - 9.15am

Introduction and welcome

9.15 - 10.00am

Session 1: It's a Matter of Trust: Strengthening Governance and Accountability

Strong governance is the foundation of every trusted charity and NFP. The ACNC's six governance standards go beyond compliance; they define how an organisation is led, how decisions are made, and how accountability is maintained to donors, beneficiaries and the public. This session unpacks what these standards mean in practice and how to embed them into everyday governance to safeguard both mission and reputation. It covers:

- Governance fundamentals including leadership and accountability through cognitively diverse boards
- Practical tips for navigating governance including the six ACNC governance standards
- The consequences of non-compliance with tax laws and the ACNC governance standards
- The importance of implementing accountability measures ensuring accurate and timely reporting to stakeholders including the ATO and the ACNC
- How to ensure Leaders including ACNC Responsible People can fulfill their duties
- Ways to improve operational efficiency through governance frameworks which safeguard the organisation's mission and values
- The need to conduct regular governance health checks to evaluate governance practices

Speaker: Dr Matthew Turnour, Chairman, Neumann & Turnour Lawyers, Brisbane, Qld

10.00 - 10.10am Panel Comments and Questions

10.10 - 10.55am

Session 2: Untangling the Governance Maze: Managing Risk and Responsibility Across Complex Charity Structures

Many charities and NFPs operate through layered or interlinked structures, with multiple entities, shared boards, and overlapping management roles. While these arrangements can deliver flexibility and asset protection, they also heighten the risk of governance failure, regulatory breach and reputational harm. This session will clarify where those risks lie and provide a roadmap for achieving good governance across complex organisational arrangements. It covers:

- What makes a structure "complex" and where the governance pressure points arise
- Developing fit-for-purpose policies and procedures for staff, volunteers and boards
- When to standardise policies across entities, and when bespoke is best
- Ensuring accurate record-keeping in line with ACNC expectations
- Managing shared boards, dual directorships and role conflicts
- Maintaining clear organisational charts and transparent accountability lines
- Building effective conflict-of-interest and related-party transaction registers

Speaker: Rebecca Lambert-Smith, Practice Leader, Moores, Melbourne, Vic.

10.55 - 11.05am Panel Comments and Questions

11.05 - 11.30am Networking Break and Morning Tea

DAY 1: THURSDAY 28 MAY 2026

11.30am - 12.15pm

Session 3: A Sigh of Relief? The ACNC's Updated Guidance on Public Benevolent Institution Registration

Following the decision in Equality Australia Ltd, the ACNC updated its PBI statement, clarifying how charities can achieve PBI registration through contemporary methods of delivering benevolent relief. This session will examine the updated guidance, including:

- The three essential elements of PBI registration post the Equality Australia Ltd decision
- What constitutes "benevolent relief" beyond the traditional categories
- The need to demonstrate sufficient connection between activities and benevolent purposes
- Delivering benevolent whilst maintaining the required nexus to people experiencing benevolent need
- Meeting the heightened evidentiary expectations under the updated CIS
- Understanding stronger language around "causal connection" and requirements to "effectively relieve" benevolent needs
- Maintaining PBI registration for currently registered charities under the updated CIS
- Tax concessions that flow from PBI registration

Speaker: Dr Mark Fowler, Fowler Charity Law Pty Ltd, Sydney, NSW

12.15 - 12.25pm Panel Comments and Questions

12.25 - 1.25pm Luncheon

AFTERNOON THEME: DUTY OF CARE, SAFETY AND ORGANISATIONAL EXPOSURE

1.25 - 2.10pm

Session 4: The Accountability Gap: What Bird v DP Means for Charities and NFPs

The High Court's decision in Bird v DP has widened the accountability expectations placed on organisations working with children and vulnerable people, even when those organisations are not directly at fault. For charities and NFPs, the case highlights the urgent need to re-examine governance structures, volunteer management, and the scope of legal duty. This session explains what the ruling really means in practice, helping boards and executives understand where their exposure lies and how to strengthen protections. It covers:

- Understanding the practical implications of the High Court's decision in Bird v DP through the lens of charities and not-for-profits
- What role the law of non-delegable duty might play in future claims concerning historical sexual abuse
- How the decision in Bird v DP affects non-religious charities and NFPs with volunteers and contractors in child-facing roles
- The importance of implementing proactive risk management strategies
- The pending High Court decision in AA v The Trustees of the Roman Catholic Church for the Diocese of Maitland-Newcastle and potential implications for the sector moving forward

Speaker: Luke Geary, Partner, Mills Oakley, Brisbane, Qld

2.10 - 2.20pm Panel Comments and Questions

DAY 1: THURSDAY 28 MAY 2026

2.20 - 3.05pm

Session 5: Safe, Supported and Protected: Meeting Child Safe Standards Across Australia

Following the Royal Commission into Institutional Responses to Child Sexual Abuse, every Australian jurisdiction has moved to implement the National Principles for Child Safe Organisations. But while the principles are national, the compliance frameworks are not, leaving charities and NFPs navigating a patchwork of rules, reporting obligations and cultural expectations. This session will help organisations understand where the laws currently stand, what's coming next, and how to maintain a culture of safety and compliance across operations. It covers:

- Revisiting the 10 National Principles for Child Safe Organisations
- Understanding state-by-state implementation status including fully legislated frameworks, phased rollouts and volunteer programs
- Navigating Reportable Conduct Schemes across jurisdictions
- Implementing culturally safe environments for Aboriginal and Torres Strait Islander children and young people
- Addressing online safety obligations by creating physical and online environments that promote wellbeing
- Conducting practical implementation steps for charities including undertaking audits and gap analyses and developing or updating policies
- The importance of delivering tailored child safety training for staff and volunteers
- Leading voluntary compliance for organisations not yet subject to mandatory frameworks

Speaker: Jessica Lipsett, Director, Vocare Law, Brisbane, Qld

3.05 - 3.15pm Panel Comments and Questions

3.15 - 3.35pm Networking Break and Afternoon Tea

3.35 - 4.20pm

Session 6: Take Only What You Need: Rethinking Donor Data Retention and Privacy Compliance

The 2021 Oxfam data breach prompted the OAIC to clarify what constitutes a reasonable retention period for donor information and the expectations under the Australian Privacy Principles. For charities and NFPs, this has major implications for data governance, risk exposure and public trust. This session explores how to build compliant, defensible and practical donor data retention frameworks. It covers:

- Understanding key lessons from the Oxfam breach and OAIC enforceable undertaking
- Applying the 7 year retention benchmark for donor data and when longer retention can be justified under law
- Identifying exceptions to standard retention periods
- Best practices when implementing APP 11.2 and APP 11.3
- Developing practical donor information retention frameworks, staff training on retention policies, and periodic audits
- Managing exposure to Notifiable Data Breach scheme triggers when long-held data is compromised
- The OAIC's enhanced enforcement powers under recent reforms, and navigating public and regulatory scrutiny following breach notifications
- Addressing risks under the new statutory tort for serious invasions of privacy

Speaker: Michael Park, Partner, Dentons, Melbourne, Vic.

4.20 - 4.30pm Panel Comments and Questions

DAY 2: FRIDAY 29 MAY 2026

CHAIR DAY 2: DR MATTHEW TURNOUR, CHAIRMAN, NEUMANN & TURNOUR LAWYERS, BRISBANE, QLD

THEME: MANAGING YOUR WORKFORCE

9.00 - 9.05am

Introduction and welcome

9.05 - 9.50am

Session 7: Labels Matter: Classifying Workers, Contractors and Volunteers Under the New Section 15AA Framework

The introduction of section 15AA to the Fair Work Act has reshaped how organisations must determine whether a person is an employee or an independent contractor, a shift that has significant consequences for charities and NFPs that rely on diverse workforce arrangements, including volunteers. Misclassification brings real risks: unpaid entitlements, unexpected tax and superannuation obligations, unfair dismissal claims and regulatory scrutiny. This session provides a practical roadmap for navigating the new landscape and ensuring your organisation correctly identifies every type of worker engagement. It covers:

- Understanding section 15AA and what the revived multi-factorial test requires in practice
- Identifying the “real substance” of a working relationship and weighing the key indicators of employment versus contracting
- Distinguishing genuine volunteers from unpaid employees, and managing documentation and expectations to avoid unintentionally creating employment relationships
- Navigating the contractor high-income threshold and avoiding exposure to unfair contract and sham contracting claims
- Knowing when workers, including low-paid contractors, may be entitled to minimum wages, leave, superannuation or unfair dismissal protections
- Implementing practical, defensible systems to ensure your worker classifications are accurate across both paid and unpaid cohorts

Speaker: Denise O'Reilly, Principal Lawyer, O'Reilly Workplace Law, Gold Coast, Qld

9.50 - 10.00am Panel Comments and Questions

10.00 - 10.45am

Session 8: Safeguarding Your Mission: Proactive Prevention of Sexual Harassment in the Charities and NFP Sector

The positive duty to take proactive and meaningful action to prevent sexual harassment necessitates cultural change addressing the unique dynamics of mission-driven environments. In this session, attendees will gain an understanding of how to implement comprehensive prevention strategies across their organisation, including:

- The intersection between equality, anti-discrimination and work health and safety laws as they apply to both employed staff and volunteers
- The positive duty to prevent sexual harassment under the Sex Discrimination Act 1984
- The preventative and proactive nature of the positive duty to prevent sexual harassment
- How to implement measures required to satisfy the duty including risk assessments, codes of conduct and training programs
- Stop sexual harassment orders and the implications for organisations that fail to meet their prevention obligations
- Best practice for creating a safe workplace culture

Speaker: Bridget Nunn, Partner, Thomson Geer, Adelaide, SA

10.45 - 10.55am Panel Comments and Questions

10.55 - 11.15am Networking Break and Morning Tea

DAY 2: FRIDAY 29 MAY 2026

11.15 - 12.00pm

Session 9: Gaining Certainty from Uncertainty: The Intersection of Fixed Term Contracts and Project-based Funding

The nature of fixed term employment contracts was significantly changed with amendments to the Fair Work Act 2009, creating particular challenges for charities and NFPs that have historically relied on fixed term contracts to align staffing with grant funding cycles and project-based work. This session will examine these changes and their practical implications for the not-for-profit sector, including:

- The policy reasons for introducing limitations on fixed term employment contracts
- Navigating the limitations under s 333E of the Fair Work Act 2009, including the prohibitions and restrictions on fixed term contracts
- Identifying exceptions to these limitations that may be relevant to charities and NFPs
- Reconciling fixed term contract limitations with funding realities in the charities and NFP sector
- Practical tips and traps when drafting fixed term employment contracts
- Addressing and resolving disputes about fixed term employment contracts
- Clarifying how fixed term rules apply to recurrent project roles and grant-funded positions

Speaker: Zoe Gannon, Senior Lawyer, Gilbert + Tobin, Melbourne, Vic.

12.00pm - 12.10pm Panel Comments and Questions

12.10 - 12.55pm

Session 10: Hidden Dangers in Plain Sight: Managing Psychosocial Hazards in Charities and NFPs

Charities and NFPs face unique psychological safety challenges that distinguish them from traditional workplaces, with staff and volunteers often working in emotionally demanding roles supporting vulnerable communities whilst operating under resource constraints and mission-driven pressures. In this session, we will examine how organisations can identify, assess and control psychosocial risks for both employees and volunteers, including:

- Understanding psychosocial hazards specific to charitable and not-for-profit environments including vicarious trauma and compassion fatigue
- The importance of implementing systematic risk identification and assessment to capture the full range of psychosocial risks
- Developing effective control measures and intervention strategies tailored to the charities and NFPs context
- Creating policies and reporting frameworks that establish clear channels for employees and volunteers to report psychosocial hazards without fear of reprisal
- Building comprehensive training programs on workplace psychosocial hazards
- Establishing monitoring and continuous improvement systems that allow for responsive adjustment of psychological safety measures

Speaker: Greg McCann, Partner, HWLE Lawyers, Sydney, NSW

12.55 - 1.05pm Panel Comments and Questions

1.05pm Conference Close

GENERAL INFORMATION

Conference Registration Fee

The conference registration fee includes attendance at the conference and conference papers. Refreshment breaks on both conference days and lunch on day 1 are included for delegates attending the face to face event.

Conference Papers

TEN will not provide printed copies of the conference papers or Powerpoints. Access to the papers & Powerpoints will be available online to all delegates in the lead-up to the conference (as they become available).

CPD

Lawyers: 9 CPD units (substantive law)

CPD Certificate

All delegates will receive a CPD Certificate/s confirming attendance.

The Conference Venue

Melbourne Marriott Hotel

Corner Lonsdale & Exhibition Streets, Melbourne

Phone: (03) 9662 3900

Web: [Luxurious hotel in Melbourne's CBD \(marriott.com\)](http://marriott.com)

Delegate Accommodation Rate at the Melbourne Marriott

The Marriott are offering conference attendees 10% off their best available rates at the time of booking. Please call **(03) 9660 1128** to book your room and identify yourself as an attendee of this event.

Travelling to the Conference Venue

Delegates are advised to make their own travel arrangements.

Conference Dress

Smart casual attire is suitable (note: the temperature in the conference rooms can vary depending on where you are sitting. Short sleeves/summer tops are generally OK, but it is advisable that you bring a jacket/long sleeved top just in case you need it).

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