

## By Laws of the Nurses Professional Association of Queensland Inc. (NPAQ)

1. Financial assistance is available for members who are implicated or charged with an offence. An offence may include but is not limited to—
  - (a) grievances, charges and enquiries placed against members from any party including parties outside of the member's direct employment.
  - (b) Breach of any legislation, policy or procedure by another person or party against any member.
  - (c) One member placing any action or grievance against another member.
2. Financial assistance and support is also available to employee members who may be named in or accused of negligence which results in civil action being taken against them irrespective of whether they are covered by their own professional indemnity insurance policy or not.
3. NPAQ will not financially assist any member in respect of any matter relating to libel and/or defamation or equal opportunity and/or sexual harassment whether such claim arises out of, or in the course of the members employment or otherwise.
4. NPAQ will not assist members in relation to criminal charges which arise outside of the normal course of their duties although the charge may impact on their employment activity, for example, a drink-driving charge.
5. NPAQ will not provide assistance in relation to any personal legal affairs of members.
6. If any member is implicated or charged with any offence arising out of or in the course of the member's employment, that member shall immediately advise the NPAQ the following in full—
  - (a) the nature of the injury, implication or charge
  - (b) the date of the alleged offence
  - (c) the location of the alleged offence.
  - (d) any other material fact relating to the alleged offence.
7. Initial approval for the provision of any legal or industrial assistance is at the discretion of the state management committee executive (SMC (E)).
8. Legal and/or industrial assistance is only provided if the alleged offence is as a consequence of the member acting reasonably and in good faith in the performance of their duties.
9. If assistance is approved members will be required to enter into contract requiring them to repay all monies paid by the Association in such matters if they are found to be blatantly negligent in the performance of duties such as consciously acting contrary to explicit instructions or their actions are indefensible. (E.g. attending work while intoxicated or under the influence of an illegal substance).
10. Members approved for financial assistance are entitled to the greater of no more than the funds held by the NPAQ at the time of approval or to the extent of any guarantee provided by the service providers.