

**KENEWA**

KENYANS IN NEW ENGLAND WELFARE ASSOCIATION

WELFARE FUND POLICY

Kenyaans in New England Welfare Association Incorporated (KENEWA)

Adopted by the Committee under clause 46 of the Constitution

Registration number INC2601004 · ABN 17 238 522 745

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1. Purpose

1.1 This Policy sets out how the Association's Welfare Fund is built, managed and used to give timely, fair and dignified support to members and their families in bereavement, serious illness and hardship.

1.2 It reflects the Kenyan tradition of *harambee*: pulling together so that no family carries a crisis alone. It gives effect to the Association's objects (Constitution, clauses 3 and 5) and to clauses 35 and 36 of the Constitution.



2. Authority and scope

2.1 The Committee adopts this Policy under clause 46 of the Constitution. If this Policy is inconsistent with the Constitution or the *Associations Incorporation Act 2009* (NSW), the Constitution or the Act prevails.

2.2 This Policy applies to the Committee, the Welfare Sub-Committee, all members, and anyone who applies for, gives to, or administers money from the Fund.

3. Definitions

Words defined in the Constitution have the same meaning in this Policy. In addition:

"Applicant" means the person who asks for support, or on whose behalf support is asked for.

"Conflict of Interest" has the meaning in clause 25.5 of the Constitution, and includes any family, personal or financial relationship with an Applicant.

"Eligible Member" means a Financial Member or Life Member whose membership is current (Constitution, clause 13.5).

"Fund" means the Welfare Fund described in clause 35.3 of the Constitution.

"Registered Family" means the family members an Eligible Member has recorded in the Register for Welfare Fund cover: one spouse or partner, up to seven dependants, up to seven siblings, and the member's parents or a guardian nominated in their place under clause 7.7 (Constitution, clause 12.3).

"Reserve" means the minimum balance described in clause 6.4.

"Welfare Register" means the record of applications described in clause 15.1.

"Welfare Sub-Committee" means the sub-committee described in clause 11.1.

4. Guiding principles

4.1 Need-based and fair. Support is given according to need and the rules in this Policy, and similar cases are treated alike.

4.2 Fast in a crisis. A bereavement is never held up by paperwork. The Association helps first and collects documents afterwards when needed.

4.3 Dignity and confidentiality. Applicants are treated with respect, and their information is seen only by the people handling their request.

4.4 Non-discrimination. Decisions are made without regard to tribe, ethnicity, religion, gender, age, disability, family status or political view.

4.5 Accountability. Every dollar received and paid is recorded, approved by two people and reported.

4.6 Sustainability. The Fund is managed so that it can keep supporting the community over time.

4.7 Not-for-profit. No Committee member or member receives personal gain from the Fund (Constitution, clause 6).

5. Money paid into the Fund

The following money must be paid into the Fund:

- (a) the Welfare Fund contribution of each joining fee, currently **\$170** of the **\$200** joining fee;



- (b) the whole of each annual renewal fee, currently **\$170**;
- (c) any special welfare levy authorised by a General Meeting under clause 13.6 of the Constitution;
- (d) donations given for welfare, including donations with the reference "DONATION";
- (e) money raised by welfare appeals and harambee collections under clause 14; and
- (f) grants and sponsorships given for welfare purposes, and any other lawful money the Committee directs to the Fund.

6. Managing the Fund

6.1 The Fund is kept in a separate account in the Association's name at an authorised deposit-taking institution, apart from general operating money, grant money and any chama money.

6.2 Money in the Fund may be used only for support under this Policy and the direct costs of giving it, such as bank fees on a payment. It must not be lent (except under clause 9.4), invested in anything risky, or used for general running costs.

6.3 The Treasurer keeps a separate ledger of all Fund receipts and payments and reports the balance at every Committee meeting.

6.4 **Reserve.** The Committee keeps a Reserve of at least **\$3,000** in the Fund so that it is always ready for the next family, and aims to build the Reserve to **\$5,000**. The Treasurer checks the balance against the Reserve before every payment.

6.5 If paying a claim in full would take the Fund below the Reserve, the whole Committee decides within **24 hours** how to pay it. A bereavement payment is never held up: the Committee pays what it can straight away and tops up the rest as money comes in, including through an appeal under clause 14.

6.6 Money given for a stated purpose, such as an appeal for a particular family, is used only for that purpose. Any amount left over goes into the Fund unless the donors were told otherwise.

7. Who can be supported

7.1 Support is available to:

- (a) an Eligible Member whose membership has been current for at least **three months** (the "waiting period"); and
- (b) the Registered Family of that Eligible Member.

7.2 The waiting period does not apply to a bereavement or a life-threatening emergency, which the Committee may support straight away.

7.3 A family member added to the Register after the member's first confirmed list is covered once the Committee has approved the addition. Support is not available for an event that happened before the family member was added, unless the Committee decides otherwise because of exceptional circumstances.

7.4 A Community Member, or another person in the New England region, may be helped in a genuine emergency at the Committee's discretion, up to the limit in Schedule A.

7.5 A member whose renewal is overdue is not an Eligible Member (Constitution, clause 13.5) unless the Committee has decided otherwise because of demonstrated hardship.

7.6 Support is not available for losses caused by the Applicant's own dishonesty or deliberate wrongdoing.



7.7 Parents and guardians. To avoid uncertainty at a difficult time, the following rules apply to the parent places in a Registered Family:

- (a) a member who has no living biological parent, or who was raised by someone else, may nominate as a guardian the adult who cared for them before they turned 18, in place of a parent;
- (b) where a member has both biological parents and step-parents living, or the documents about a parent conflict, the member nominates one person for each parent place when registering their family;
- (c) the Committee reviews each nomination under this clause and any supporting documents, and its decision is recorded in the Register; and
- (d) once a nomination is approved, support is not available for another person in the same parent place, unless the Committee decides otherwise because of exceptional circumstances.

8. Types of support

8.1 Bereavement. When an Eligible Member or a member of their Registered Family dies: a contribution towards funeral, burial or cremation costs in Australia, or towards repatriation to Kenya; help finding a funeral director; help gathering the paperwork for repatriation (such as the death certificate, the funeral director's certificates and the letter from the Kenya High Commission); and practical support such as meals, transport, airport pick-ups and telling members, with the family's agreement. If the death was sudden, the Coroner may need to be involved first, and the Association explains what that means.

8.2 Serious illness or injury. Visits, meals, transport and, where approved, a contribution towards costs during hospitalisation or a long recovery, such as travel to specialist care or essential costs not covered elsewhere.

8.3 Sudden hardship. A one-off payment, usually made directly to the provider (for example a landlord or utility), after an emergency such as fire, flood, family violence or loss of a job, plus links to local services.

8.4 New arrivals. Practical help for newly arrived Kenyan families, such as a welcome pack, help setting up essential services, short-term food or household items, and introductions to settlement services.

8.5 Other support. Any other need that the Committee decides, by resolution, falls within the Association's objects.

8.6 Other sources first. Where insurance, Centrelink, a funeral fund, an employer, the NDIS, visa health cover or another scheme may help, the Association helps the Applicant apply. The Fund tops up or bridges those sources and does not replace them.

8.7 Celebrations of happy milestones, such as weddings, births and graduations, are community activities and are not paid from the Fund.

9. Limits on support

9.1 The maximum amounts for each type of support are in **Schedule A**. The Committee may change Schedule A by resolution and must tell members of any change.

9.2 In an exceptional case the Committee may approve support above the Schedule A limit, but only by a resolution of the whole Committee that records the reasons, and the decision must be reported to the next General Meeting.

9.3 The Committee pays the amount it considers reasonable and affordable at the time. Meeting the criteria in this Policy does not guarantee the maximum amount.



9.4 Support is normally a gift, not a loan. The Committee may instead offer an interest-free repayment arrangement where that is appropriate and the Applicant agrees in writing. Repayments go back into the Fund.

10. How to ask for support

10.1 An Applicant, or family or friends on their behalf, may ask for support:

- (a) by calling the help line on **0475 140 471**, day or night, or any Committee member. For a death, a phone call is enough to start: no form is needed first;
- (b) through "Ask for support" in the Membership Portal; or
- (c) by using the form in **Schedule B**, or a written message with the same information.

10.2 The request should give the Applicant's name and contact details, membership status, the type of support needed, a short description of the situation, the amount requested if known, and any other help received or available.

10.3 The Committee may ask for reasonable evidence, such as a funeral director's quote, a hospital or medical letter, a death certificate, a rental ledger or an invoice. In an emergency the Committee may approve support first and collect evidence afterwards.

10.4 A person helping an Applicant who cannot apply themselves because of language, literacy, illness or grief must act with the Applicant's knowledge and consent, or the consent of the family where the Applicant has died.

10.5 Health, financial and family information is sensitive information. It is collected only with the Applicant's consent (given by ticking the consent box in the Membership Portal or signing Schedule B) and is used only to consider and give support.

11. Assessment and approval

11.1 The Committee establishes a **Welfare Sub-Committee** of at least three Committee members, including the Treasurer or their delegate. It receives requests, checks membership and Registered Family, gathers what is needed and makes recommendations. For a bereavement, one Committee member is named as the family's contact person, so the family only needs to speak to one person.

11.2 Approval levels:

- (a) support up to **\$500** may be approved by any two of the Chairperson, Vice Chairperson, Secretary and Treasurer, who report the decision at the next Committee meeting;
- (b) support above \$500, up to the Schedule A limit, requires a resolution of the Committee, which may be made at a meeting, by video or phone, or in writing (including by email or through the Membership Portal) under clause 25.4 of the Constitution; and
- (c) support above the Schedule A limit requires the process in clause 9.2.

11.3 A person with a Conflict of Interest must declare it, must not take part in assessing or deciding the request, and must leave the discussion. The declaration is recorded in the minutes and the Register of Disclosed Interests (Constitution, clause 25.5).

11.4 **Timeframes.** The Committee aims to decide within **48 hours** for a bereavement or emergency, and within **7 days** for other requests. It tells the Applicant the decision in writing (including by email or through the Membership Portal) and, if support is reduced or declined, the reasons.



12. Payment

12.1 Where possible, payment is made directly to the provider, such as a funeral director, airline, hospital, landlord or utility, rather than to the Applicant.

12.2 Every payment from the Fund must be authorised by two authorised signatories, neither of whom is the Applicant or related to the Applicant (Constitution, clause 36.2).

12.3 The Treasurer records each payment in the Fund ledger and the Welfare Register and keeps the supporting documents.

12.4 Payments of \$100 or more are made by electronic funds transfer, never in cash (Constitution, clause 36.5).

13. Confidentiality and privacy

13.1 Information about Applicants is confidential. Only the Committee members handling the request, and anyone who must see it to approve, pay or audit the payment, may see it.

13.2 Documents attached to a request are kept in the Membership Portal's private document store, which only those Committee members can open. Paper documents are kept securely by the Secretary.

13.3 Information is handled in accordance with the Association's Privacy Policy, the Australian Privacy Principles and, for health information, the *Health Records and Information Privacy Act 2002* (NSW). It is not shared outside the Association without the Applicant's consent unless the law requires it or someone's life or safety is at serious risk.

13.4 Reports to members describe Fund payments in general terms only (for example, "three bereavement payments totalling \$X"), unless the person or family has agreed to be named.

13.5 Supporting documents are kept for as long as needed to support the financial records (at least seven years, Constitution clause 38.1), and then securely destroyed.

14. Appeals, harambee and fundraising

14.1 For a bereavement or other serious event, the Committee may invite members, friends and local businesses to give to a voluntary harambee appeal, with the family's agreement.

14.2 Every appeal must say clearly what the money is for, the money must be kept separately in the Fund ledger, and it must be used only for that purpose (clause 6.6).

14.3 Appeals and donation requests made to the public, including on the Association's website and social media, must comply with the *Charitable Fundraising Act 1991* (NSW). The Association may conduct them without an authority only while it is exempt: currently, while its total gross fundraising is **\$15,000 or less** in a Financial Year, only volunteers take part, and no one is paid beyond lawful and proper expenses. The Treasurer records the gross amount raised from appeals and tells the Committee when the total reaches \$10,000, so that the Committee can apply to NSW Fair Trading for an authority to fundraise (or obtain a deemed authority through registration with the ACNC) before the exemption is exceeded.

14.4 Every donation is receipted and recorded. Donations are not tax deductible unless the Association is endorsed as a deductible gift recipient, and the Association must not say otherwise.

14.5 Gifts given to an appeal by mistake (wrong amount or given twice) are refunded under the Association's Refund Policy if the donor tells the Treasurer within 7 days and before the money is passed on.



15. Records and reporting

15.1 The Secretary keeps a **Welfare Register**, which may be kept in the Membership Portal, recording for each request: the date received, type of support, amount requested, decision, amount paid, who approved it, any Conflict of Interest declared, and when the Applicant was told.

15.2 The Treasurer reports to each Committee meeting on Fund income, payments, the balance and the Reserve, and on the gross amount raised from appeals in the Financial Year.

15.3 At each Annual General Meeting the Committee presents a summary of the Fund's income and payments, the number of families helped and the total paid by type of support, without identifying anyone.

15.4 Fund records are available to the Association's auditor or reviewer and, under clause 18 of the Constitution, to members, without any information that identifies an Applicant.

16. Misuse, reviews and complaints

16.1 Anyone who knowingly gives false information to obtain support, or who misuses Fund money, may be disciplined under clause 17 of the Constitution, and the Committee may recover the money.

16.2 A Committee member suspected of misusing Fund money must stand aside immediately from all Fund decisions while the matter is looked into, and may be removed from office under the Constitution.

16.3 **Review.** An Applicant who disagrees with a decision may ask in writing, within **14 days** of being told, for it to be reviewed. The Committee acknowledges the request within 48 hours and holds the review within 7 days. Committee members who were not part of the first decision review it, and any Committee member related to or closely connected with the Applicant does not take part. The Applicant may attend and speak. The review decision is given in writing within 3 days after the review.

16.4 Other complaints about how the Fund is run are dealt with under clause 42 (Internal disputes) of the Constitution.

17. Review of this Policy

17.1 The Committee reviews this Policy at least every **two years**, or earlier if the law, the Fund's size, funding arrangements or community needs change.

17.2 Changes to Schedule A or Schedule B may be made by Committee resolution. Other changes must be recorded in the minutes and notified to members, and the current Policy must be available on the website and in the Membership Portal.

18. Adoption

This Policy was adopted by resolution of the Committee of Kenyans in New England Welfare Association Incorporated.

Date of the Committee meeting	
Resolution number or minute reference	
Takes effect from	

**Chairperson**

Signature	
Full name	
Date	

Secretary

Signature	
Full name	
Date	

Treasurer

Signature	
Full name	
Date	



SCHEDULE A — Support limits

These are the most the Fund can give for each event. The Committee decides the amount within these limits according to need and what the Fund can afford (clause 9.3).

Type of support	Maximum	Notes
Bereavement: death in Australia	\$3,000	Funeral, burial or cremation costs
Bereavement: repatriation to Kenya	\$5,000	Plus a harambee appeal if needed
Serious illness or hospitalisation	\$1,000	Evidence of need required
Sudden hardship	\$500	One-off, per household per 12 months
New arrival settlement	\$300	Per family, first 6 months after arrival only
Emergency help for non-members (clause 7.4)	\$300	Per person per year, at the Committee's discretion

Reserve: at least \$3,000, building towards \$5,000 (clause 6.4). Approval by two office-bearers: up to \$500 (clause 11.2).



SCHEDULE B — Request for welfare support

Confidential. Give this form to the Secretary or any Committee member, or use "Ask for support" in the members area at kenewa.org. For a death, call **0475 140 471** first: you can fill this in later.

Applicant's full name	
Member number (if known)	
Phone and email	
Membership (Welfare / Life / Community / Not a member)	
Asking for someone else? Their name and your relationship	
Type of support (bereavement / illness / hardship / new arrival / other)	
What has happened	
Amount requested (\$), if known	
Other help received or available (insurance, Centrelink, funeral fund, family)	
Documents attached	
Payment to (provider / Applicant) and their details	

Consent. I confirm that the information I have given is true and complete. I agree that KENEWA may collect and use this information, including any health, family or financial information, to consider and give support. I understand it will be kept confidential and seen only by the Committee members handling my request, as described in KENEWA's Privacy Policy.

Applicant (or person signing for the Applicant)

Signature	
Full name	
Date	

**For Committee use**

Date received	
Contact person for the family	
Conflicts declared (names)	
Decision (approved / reduced / declined) and reasons	
Amount approved (\$)	
Approved by (two names)	
Date Applicant told	
Date paid and receipt or reference number	