Conflict of Interest Policy

Policy Statement

The purpose of this policy is to help Committee members and staff members of Good Neighbours Australia ("GNAU") to effectively identify, disclose, and manage any actual, potential, or perceived conflicts of interest, in order to manage reputational risks and uphold the integrity, standards, and professionalism of GNAU.

2. Objective

GNAU's Committee aims to ensure that Committee members are aware of their obligation 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 GNAU. GNAU's staff are expected to conduct themselves in an honest, professional, and ethical manner, and to avoid any real or perceived conflict of interest.

3. Scope

This policy applies to all GNAU Committee members and staff.

4. Definition of Conflicts of Interests

- Conflict of Interest - a conflict of interest occurs when a person's personal interests conflict with their responsibility to act in the best interests of the charity. ● 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, for e.g., in procurement.
- Conflicting Obligations - includes a conflict between a Committee member's duty to GNAU and another duty that the Committee member has (for example, another NGO). 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 GNAU. As such, these situations must be managed accordingly.

5. Policy

This policy has been developed to address conflicts of interest affecting GNAU. Conflicts of interest are common, and they do not need to present a problem to GNAU, as long as they are openly and effectively managed.

It is the policy of GNAU, as well as a responsibility of the Committee and staff, that ethical, legal, financial, or other conflicts of interest be avoided, and that any such conflicts (where they do arise) do not conflict with their obligations and responsibilities to GNAU.

5.1 Committee

GNAU will manage conflicts of interest by requiring Committee members to:

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

5.1.1. Responsibility of the Committee

The Committee is responsible for:

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

GNAU must ensure that its Committee members are aware of the ACNC Governance Standards, particularly Governance Standard 5, and that **they disclose any actual or perceived material conflicts of interests as required by Governance Standard 5.**[1]

5.2. Staff

GNAU will manage conflicts of interest by requiring Committee members to:

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

5.3. Identification and Disclosure of Conflicts of Interest

5.3.1. Committee

Once an actual, potential, or perceived conflict of interest is identified, it must be entered into GNAU's register of interests, as well as being raised with the Committee. Where every other Committee member shares a conflict, the Committee should refer to ACNC Governance Standard 5 to ensure that proper disclosure occurs.

[1] ACNC Governance Standard 5: Governance Standard 5: Duties of Responsible People | ACNC

The register of interests must be maintained by the Secretary. The register must 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).

5.3.2. Staff

Once an actual, potential, or perceived conflict of interest is identified, it must be reported to the relevant manager or the Executive Director.

5.4 Confidentiality of Disclosure

The person(s) managing the conflict of interest will treat the disclosure of interest confidential, including the following people:

- Managers
- Executive Director
- Committee Chair
- Nominated Committee Member

Where appropriate, the Executive Director or the Committee Chair may include additional people in managing the conflict of interest, provided they agree to uphold confidentiality of all matters related to the disclosure and subsequent actions.

6. Action Required to Manage Conflicts of Interest

6.1. Conflicts of Interest of Committee Members

Once the conflict of interest has been appropriately disclosed, the Committee (excluding the Committee member who has made the disclosure, as well as any other conflicted Committee member) must decide whether or not those conflicted Committee 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 Committee member from regularly participating in discussions, the Committee may ask the person conflicted to resign from the Committee.

6.2. Conflicts of Interest of Staff Members

Once the conflict of interest has been appropriately disclosed, the manager or the Executive Director (excluding the staff concerned who has made the disclosure) must decide whether or not the staff concerned may participate in any discussion regarding the 'matter at hand', for e.g., awarding a contract to a party connected to the staff concerned (such as a family member, friend, associate, etc).

6.3. What should be Considered when Deciding What Action to Take?

In deciding what approach to take:

- 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, and,
- the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of, GNAU.

6.3.1. Committee - the approval of any action requires the agreement of at least a majority of the Committee (excluding any conflicted Committee member), 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.

6.3.2. GNAU Staff – the approval of any action requires the approval of the Executive Director.

7. Compliance with this Policy

7.1. Committee

If the Committee has a reason to believe that a Committee member has failed to comply with the policy, they will investigate the circumstances. If it is found that this Committee member has failed to disclose a conflict of interest, the Committee may take action against them, including disciplinary actions, and/or termination of their relationship with GNAU.

7.2. Staff

If the Executive Director of the relevant manager has a reason to believe that a person has failed to comply with the policy, they will investigate the circumstances. If it is found that this person has failed to disclose a conflict of interest, the Executive Director or the relevant manager may take action against them, including disciplinary actions, and/or termination of employment/engagement.

7.3. Executive Director

If the Committee has a reason to believe the Executive Director has failed to comply with the policy, the Committee Chair will investigate the circumstances. If it is found that the Executive Director has failed to disclose a conflict of interest, the Committee may take action against them, including disciplinary action, and/or termination of employment.

7.4. Committee Chair

If the Committee has a reason to believe the Committee Chair has failed to comply with the policy, the Secretary and a nominated Committee member will investigate the circumstances. If it is found that the Committee Chair has failed to disclose a conflict of interest, the Committee may take action against them, including disciplinary actions, and/or termination of their relationship with GNAU.

8. Responsibility

The Executive Director is responsible for this policy.

9. Review

This policy will be reviewed every three years, or sooner if required.

10. Acknowledgement

GNAU acknowledges the initial template for this policy was sourced from ACNC on 16/04/2024, it was further modified to suit GNAU's operating environment. Source: Conflict of interest policy | ACNC

11. References

- Managing Conflict of Interest: Managing conflicts of interest | ACNC
- GNAU Code of Conduct
- Financial Wrongdoing Policy
- Whistleblowing Policy

12. Document Control Information

Conflict of Interest Policy	
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