

## **ANZSOM CONFLICT OF INTEREST POLICY**

### **Purpose:**

The purpose of this policy is to protect the integrity of ANZSOM through the appropriate management of actual, potential or perceived conflicts of interest.

### **Scope:**

This policy applies to:

- members of General Council
- members of Branch Councils
- members of ANZSOM committees
- staff and contractors of ANZSOM (Secretariat)

### **Definition:**

A conflict of interest occurs when a person's personal interests conflict with their responsibility to act in the best interests of the organisation.

Personal interests include direct interests, as well as those of family, friends, or other organisations that a person may be involved with or have an interest in (for example, as a shareholder).

It also includes a conflict between a person's duty to ANZSOM and another duty that the person has (for example, to another organisation). 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 ANZSOM.

Therefore, these situations must be managed accordingly.

Conflicts of interest are common, and they do not need to present a problem to the organisation as long as they are openly and effectively managed.

### **Policy:**

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

ANZSOM will manage conflicts of interest by requiring persons 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.

### **Responsibility of the General Council**

The General Council is responsible for:

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

### **Disclosure of conflicts of interest**

Conflicts of interest should be raised at all ANZSOM committee meetings. Once an actual, potential or perceived conflict of interest is identified, it must be entered into meeting minutes. The meeting minutes must record the nature and extent of the conflict of interest and any steps taken to address it.

### **Action required to manage conflicts of interest**

Once a conflict of interest has been appropriately disclosed, the committee must decide whether or not the conflicted representative(s) should:

- vote on the matter,
- 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 person from regularly participating in discussions, the committee may consider if it is appropriate for the person conflicted to resign from the committee.

In deciding what approach to take, the committee will consider:

- 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
- the organisation's objects and resources, and
- the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of, the organisation.

The approval of any action requires the agreement of most of the committee (excluding any conflicted committee member/s) who are present and voting at the meeting.

The action and result of the voting will be recorded in the minutes of the meeting.

### **Compliance with this policy**

If the General Council has a reason to believe that a person subject to the policy has failed to comply with it, it will investigate the circumstances and take action as appropriate under the organisation's Rules and Code of Conduct.

**REFERENCES / RELATED DOCUMENTS:**

ANZSOM Code of Conduct

ACNC Governance Standards <https://www.acnc.gov.au/for-charities/manage-your-charity/governance-hub/governance-standards>

Managing conflicts of interest – a guide for charity board members 2015

ANZSOM Society Rules (Section 64)

DATE OF ADOPTION:

May 2015

DATE OF REVIEW:

May 2017, May 2020, October 2022