Gawler
Environment Centre

Gawler Environment Centre Conflict of Interest Policy

The *Gawler Environment Centre Conflict of Interest Policy* details the process by which the Gawler Regional Natural Resource Centre (trading as Gawler Environment Centre and hereinafter referred to as GEC) will manage and deal with conflicts of interest that arise for the GEC Management Committee members in their role as the Responsible Persons of the GEC.

Purpose

The purpose of this policy is to help GEC Management Committee members to effectively identify, disclose and manage any actual, potential or perceived conflicts of interest in order to protect the integrity of GEC and manage risk.

Objective

The GEC aims to ensure that GEC Management 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 GEC.

Definition of conflicts of interests

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 in (for example, as a shareholder).

It also includes a conflict between a Management Committee member's duty to GEC and another duty that the Management Committee member has (for example, to another charity). 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 the charity.

Therefore these situations must be managed accordingly.

Policy

This policy has been developed to address conflicts of interest affecting GEC.

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

It is the policy of GEC, as well as a responsibility of the GEC Management Committee, 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 GEC.

GEC will manage conflicts of interest by requiring Management 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.

1. Responsibility of the GEC Management Committee

The GEC Management Committee is responsible for:

- Establishing a system for identifying, disclosing and managing conflicts of interest
    - Identification and disclosure of conflicts of interest are to be made at the start of each committee meeting, or as necessary as they arise during the committee meeting, or at other times where committee members are called on for decision making.
    - Management of conflicts of interest shall be done as described in section 4 below.
- Monitoring compliance with this policy
- Reviewing this policy on an annual basis to ensure that the policy is operating effectively.

The GEC will ensure that its Management 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.

2. Identification and disclosure of conflicts of interest

Once an actual, potential or perceived conflict of interest is identified, it must be entered into GEC register of interests, as well as being raised with the Management Committee.

Where every other Management Committee member shares a conflict, the Management Committee should refer to ACNC Governance Standard 5 to ensure that proper disclosure occurs.

The register of interests must be maintained by the GEC coordinator**.** 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).

3. Confidentiality of disclosures

Information disclosed during a conflict of interest declaration shall remain confidential when requested and not be disclosed beyond members of the Management Committee or outside of committee meetings.

4. Action required to manage conflicts of interest

Once the conflict of interest has been appropriately disclosed, the Management Committee (excluding the Management Committee member who has made the disclosure, as well as any other conflicted Management Committee member) must decide whether or not those conflicted Management Committee members should:

- Abstain or 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 Management Committee member from regularly participating in discussions, it may be worth the Management Committee considering if it is appropriate for the person conflicted to resign from the Management Committee.

What should be considered when deciding what action to take?

In deciding what approach to take, the Management 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 GEC's objects and resources, and
- The possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of, the GEC.

The approval of any action requires the agreement of at least a majority of the Management Committee (excluding any conflicted Management 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 and in the register of interests.

5. Compliance with this policy

If the Management Committee has a reason to believe that a person subject to the policy has failed to comply with it, it will investigate the circumstances.

If it is found that this person has failed to disclose a conflict of interest, the Management Committee may take action against them. This may include seeking to terminate their relationship with the GEC.

If a person suspects that a Management Committee member has failed to disclose a conflict of interest, they must discuss with the person in question where possible, and if necessary notify the other members of the Management Committee.

Contacts

For questions about this policy, contact the Management Committee through the GEC Coordinator, coordinator@gawlerenvironmentcentre.org.au

Other relevant documents

Gawler Environment Centre Code of Conduct

Gawler Environment Centre Constitution

Gawler Environment Centre Management Committee Induction pack

AUTHORISATION:

This version was approved on:	23/04/2024
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Authorised by:	GEC Management Committee
Chairperson:	Jack Gill
Chairperson signature:	