



CONFLICT OF INTERESTS POLICY

1 PURPOSE

The objective of this policy is to ensure that actual, potential and perceived conflicts of interest are identified and managed effectively.

Proper management of conflicts of interest is required to maintain our incorporation and to comply with laws including the *Association Incorporations Act 2009* and not for profit requirements.

2 SCOPE

The principles and procedures in this Policy apply to all BRAT Club Incorporated (**BRATs**) office bearers and committee members.

3 POLICY STATEMENT

BRATs is committed to ensuring that conflicts of interest are identified and managed so that they do not affect the services, activities or decisions of the association.

To achieve this we will:

- (a) identify and declare all conflicts of interest;
- (b) develop, implement and monitor action to appropriately manage the conflict; and
- (c) report all identified conflicts to:
 - (i) the secretary;
 - (ii) the committee for recording in minutes; and
 - (iii) the Conflicts of Interest Register.
- (d) deal firmly with breaches of this Policy

4 DEFINITIONS

BRATs BRAT Club Incorporated

Office bearer The president, vice president, secretary and treasurer of the BRAT Club Incorporated

<i>Committee members</i>	All members of the BRAT Club Incorporated committee that are not office bearers
<i>Private interests</i>	Personal, professional or business interests including those of individuals, groups or organisations that office bearers and committee members associate with outside of the BRAT Club Incorporated.
<i>Pecuniary interest</i>	A private interest involving actual or potential financial gain or loss by that office bearer or committee member or a relative or family member of the office bearer or committee member.
<i>Non-pecuniary interest</i>	A private interest without a financial component where there may be a tendency for favouritism or prejudice to arise due to friendship, animosity or other personal involvement with another person or group.
<i>Conflict of interests</i>	A clash between a office bearer's or committee member's private interests and work interests that gives, or may give or be perceived to give, advantage to the office bearer or committee member or to others who are associated with the office bearer or committee member.
<i>Conflict of duties</i>	A competing interest between an official duty for one entity and the official duty of another.

5 ROLES AND RESPONSIBILITIES

Every office bearer or committee member of BRATs is responsible for identifying, disclosing and resolving conflicts of interest. Specific responsibilities are to:

Office bearers and committee members

Retain awareness when conflicts of interests arise to ensure conflicts are disclosed and resolved with all pertinent details recorded in the meeting minutes.

Secretary

Maintain a central Conflict of Interest Register and monitor & review the effectiveness of the Register.

6 APPLICATION- MANAGING CONFLICTS OF INTEREST

There are three key components to management of a conflict of interest:

- Report;
- Resolve; and
- Register.

(a) Reporting a Conflict of Interest

When we become aware that we may have a conflict of interest we must report that fact to the secretary.

When the secretary has a conflict of interest or conflict of duties, the conflict is reported to the office bearer or committee member.

Examples of conflicts of interest:

- Purchasing goods or services supplied by the business of an office bearer or committee member, or family company, relative or close friend
- Participating in a tender for goods or services where a relative or friend will be submitting a bid
- Directly negotiating for a friend or relative for them to provide goods or services to the BRATs for payment
- An office bearer or committee member voting on a decision which directly affects their private interests

(b) Resolving a Conflict of Interest

Resolution of the conflict can be achieved by:

- Restrict; or
- Remove

the conflicted office bearer or committee member

(i) **Restricting** the person with the conflict in the participation of decision making. Restriction could include one or more of the following:

- Not participating in any critical criteria setting or decision making role in the process
- Refraining from debate about the plan or proposal
- Limiting access to information and/or denying access to sensitive documents or confidential information in the process
- Withdrawing from discussion of the plan or proposal
- Abstaining from voting on the decision

(ii) **Removing** the person with the conflict from the process is appropriate where there is ongoing serious conflict of interest and restriction or recruitment is not practical or feasible.

- Removing the person with the conflict from any involvement
- Abstaining from any formal or informal discussion about the matter
- Separating the person with the conflict from the situation where there may be a perception of exerting a covert influence on decisions or actions
- Re-arranging duties and responsibilities to a non-conflicting function but not to a person who is supervised by the person with the conflict

(c) Registering a Conflict of Interest

All conflicts of interest must be registered in the Conflicts of Interests Register. This Register is kept by the secretary and helps us show that the conflict has been declared and resolved. It adds transparency to the situation.

The secretary ensures that all conflicts of interest reported and recorded in the meeting minutes are also registered in the Conflict of Interests Register.

- Include:
- a) Name of the person with the conflict of interest
 - b) Name of the person the conflict was reported to
 - c) What the conflict is
 - d) When it occurred
 - e) What is the risk exposure if not dealt with
 - f) How it was resolved

7 BREACH OF POLICY

Failure to disclose a conflict of interest is a breach of the BRAT Code of Conduct. It could involve severance from the organisation if deemed to be an incident of misconduct, wrongdoing or an abuse of power or authority.