



## Conflict of interest policy

### 1. Purpose

The purpose of this policy is to help Samford Equestrian Group (SEG) committee members to effectively identify, disclose and manage any actual, potential or perceived conflicts of interest in order to protect the integrity of SEG and manage risk.

### 2. Objective

The SEG executive committee aims to ensure that all 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 SEG.

### 3. Scope

This policy applies to the committee members of SEG.

### 4. 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 organisation.

A conflict of interest may be **actual**, **potential** or **perceived** and may be **pecuniary** (financial) or **non-pecuniary** (non-financial). Interest means anything that can have an impact on an individual or group. It includes anything that can bring a benefit or disadvantage to a committee member, or others an individual may wish to benefit or disadvantage.

Private or personal interests means private, professional or business interests that can benefit or disadvantage a committee member, or others that a committee member may wish to benefit or disadvantage. They also include the personal, professional and business interests of individuals or groups with whom the committee member associates. Private interests include a wide range of external activities including financial and economic interests, family or private businesses and interest groups and involvement with or have an interest in other organisations (for example, as a shareholder).

A conflict of interest can arise from avoiding personal losses as well as gaining a personal advantage - whether financial or otherwise. This includes advantages to relatives, friends



and associates. A conflict of interest can occur when a committee member has, or is seen to have, a private interest, either pecuniary or non-pecuniary which interferes, or may appear to interfere, with the discharge of their duties to SEG.

It also includes a conflict between a committee member's duty to SEG and another duty that the committee member has (for example, to another NFP / organisation). 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 SEG.

Therefore these situations must be managed accordingly.

## **5. Policy**

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

Conflict 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.

It is the policy of SEG, as well as a responsibility of the 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 SEG.

**SEG** 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. Responsibility of the committee**

The executive committee 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 on an annual basis to ensure that the policy is operating effectively.

The organisation must ensure that it's 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.



## **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 SEG's register of interests, as well as being raised with the committee.

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

The register of interests must be maintained by SEG 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 Confidentiality of disclosures**

The President and Secretary executive members of the committee have editable access to the COI register.

All other members of the committee have read only access to the register.

## **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, it may be worth the committee considering if it is appropriate for the person conflicted to resign from the committee.

### **6.2. What should be considered when deciding what action to take**

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 at least a majority 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 and in the register of interests.

## **7. Compliance with this policy**

If the executive committee have 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 committee may take action against them. This may include seeking to terminate their relationship with SEG.

If a person suspects that a committee member has failed to disclose a conflict of interest, they must as a priority notify the executive committee who are then obliged to investigate the circumstances.

## **Contacts**

For questions about this policy, contact the committee or President / Secretary by email:

[President@samfordequestriangroup.com.au](mailto:President@samfordequestriangroup.com.au)

[Secretary@samfordequestriangroup.com.au](mailto:Secretary@samfordequestriangroup.com.au)

Reference:

Australian Government - Australian Charities and Not-for-profits Commission 2015.

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