# Dealing with Conflict of Interest

## Premise

Actions and decisions taken at all levels in the ACT Council of Parents and Citizens Associations (Council) need to be informed, objective and fair. A conflict of interest may affect the way a person acts, decisions they make, or the way they vote in group decisions. Conflicts of interest need to be identified and action taken to ensure that personal or individual interests do not affect the organisation's services, activities or decisions.

## Guidelines

These guidelines will apply to Council staff, committee members, delegates and volunteers. It applies to situations where the personal interests of an individual or group of individuals may directly conflict with the best interests of the organisation, and its members, or where the decisions or actions of individuals could be influenced by their personal interests rather than those of the organisation.

This will include situations in which:

* close personal friends or family members are involved, such as decisions about employment, discipline or dismissal, service allocation or awarding of contracts
* an individual or their close friends or family members may make a financial gain or gain some other form of advantage
* an individual in the course of their official duties displays prejudice towards another because of a previous personal conflict or disagreement
* an individual is involved with another organisation that is in a competitive relationship with our organisation and therefore may have access to our strategic plans, research or financial information
* an individual is bound by prior agreements or allegiances to other individuals or agencies that require them to act in the interests of that person or agency or to take a particular position on a relevant issue.

## Procedures

### 1. Registering Conflicts

A register of conflicts of interest will be maintained by the Executive Officer. All potential and actual conflicts will be recorded in the register, showing:

* Name of Individual
* Matter under consideration
* Any private interests identified which have the potential to impact on the individual’s ability to carry out, or be seen to carry out their official duties impartially
* Whether the conflict of interest has been identified as actual, potential, perceived and pecuniary or non-pecuniary
* Actions taken

When there are any changes to the register, Council’s Executive Officer will update the Executive Committee as appropriate.

### 2. Identifying and declaring conflicts of interest

All staff, committee members, delegates and volunteers are required to declare any potential or actual conflicts of interest they are aware of by:

* Submitting a conflict of interest reporting form or letter to Council’s Executive Officer. This form or letter must be updated and resubmitted when the details of the conflict of interest change

### 3. Managing conflicts of interest

Where an apparent conflict of interest arises:

* Depending on the nature and context of the conflict of interest, Council’s Executive Committee may recommend a range of management options. These include: to register, restrict, recruit, remove, relinquish and resign.

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| **Strategy** | **When most suitable** |
| **Register**  *Where details of the existence of a possible or potential conflict of interest are formally registered.* | For very low risk conflicts and potential/perceived conflict of interest.  Where through transparency and reporting, the conflict of interest is settled. |
| **Restrict**  *Where restrictions are placed on the individual’s involvement in the matter.* | The individual can be effectively separated from parts of the activity and process.  Or where the conflict of interest is unlikely to occur frequently. |
| **Recruit** *Where a disinterested third party (within the organisation) is brought in to oversee the activity or process.* | It is not feasible to remove the individual from the decision making process.  When the expertise of the individual is necessary and not easily replaced. |
| **Remove** *Where the individual chooses to be removed from the matter.* | For ongoing serious conflicts of interest where ad hoc restriction and/or overseeing is not appropriate. |
| **Relinquish** *Where the individual voluntarily relinquishes the interest that is creating the conflict.* | The individual’s duties to Council outweighs their attachment to the private interest. |
| **Resign**  *Where the individual resigns from the organisation.* | No other options are workable. The conflict is significantly serious and reoccurring. |

# CONFLICT OF INTEREST DECLARATION

**Name:**

**Details of the matter under consideration:**

**Private interests identified which have the potential to influence your ability to carry out, or be seen to carry out, your official duties impartially:**

**The conflict of interest has been identified as:**

|  |  |
| --- | --- |
| * Actual conflict of interest * Potential conflict of interest * Perceived conflict of interest | * Pecuniary interest * Non-pecuniary interest |

**Signature of declarant:**

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| *Date Submitted:*  *Actioned by Executive Officer (date):* |