

<b>Policy title:</b>	<b>Conflict of Interest</b>	<b>Version 1.0</b>	<b>October 2020</b>
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## 1. PURPOSE

The purpose of this policy is to help IWDA effectively identify, disclose and manage any actual, potential or perceived conflicts of interest in order to protect the integrity of IWDA, its partners and the sector, and to manage risk.

Conflicts of interest are common, and they do not need to present a problem as long as they are openly and effectively managed. Situations where an actual or perceived conflict of interest exists pose a risk to IWDA that a person will make, or be perceived to be making a decision based on, or affected by, these influences, rather than in the best interests of the organisation. Therefore these situations must be managed accordingly.

## 2. SCOPE

This policy applies to all employees, volunteers, contractors and Board Directors of IWDA, and to all activities undertaken by IWDA.

## 3. DEFINITION – CONFLICT OF INTEREST

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 a person may be involved with or have an interest in (for example, as a shareholder, employee, contractor or Director).

It also includes a conflict between the duties or obligations of Board Directors, employees, contractors and volunteers to IWDA, and another duty or obligation that person has (for example, to another organisation).

A conflict of interest may be actual, potential or perceived and may be financial or non-financial.

## 4. POLICY

It is the policy of IWDA that all ethical, legal, financial or other conflicts of interest be avoided where possible and that any such conflicts (where they do arise) are declared, appropriately managed and do not conflict with the obligations to IWDA.

IWDA manages conflicts of interest by requiring all Board Directors, employees, contractors and volunteers to:

- conduct themselves with integrity and demonstrate awareness of the importance of ethical practices;
- avoid conflicts of interest where possible;
- identify and disclose any perceived, potential and actual conflicts of interest;
- carefully manage any conflicts of interest; and
- ensure that they are familiar with and comply with this Policy, ACFID's Code of Conduct and other relevant policies and requirements.

#### **4.1 Identification, Disclosure, Recording and Reporting of Conflicts of Interest**

IWDA promotes a culture of trust, honesty and integrity. It has a zero tolerance to fraud. IWDA policies and procedures reflect a commitment to an ethical and transparent environment where all Board Directors, employees, contractors and volunteers act ethically and actively participate in protecting the organisation's reputation and resources.

IWDA has a procedure for addressing and recording perceived, potential and actual conflicts of interest, including those that have already occurred. This is managed through the Conflict of Interest Declaration issued to all Board Directors, employees, contractors and volunteers relating to all activities undertaken by the organisation.

IWDA has procedures to enable open and fair procurement of goods and services, which serve to address and avoid any conflicts of interest in such processes. These are found in the IWDA Procurement Policy and related procedure.

Any Board Directors, employees, contractors or volunteers who think that they might have a conflict of interest must declare this. Employees, volunteers and contractors must declare this to the CEO. The CEO and Board Directors must disclose this to the Chair or the Board.

Perceived, potential and actual conflicts of interest are recorded in the Conflict of Interest Register.

The Conflict of Interest Register is maintained by the Company Secretary and records information related to a conflict of interest (including the nature and extent of the conflict of interest and any steps taken to address it).

If a person suspects that any Board Directors, employees, contractors or volunteers have failed to disclose a conflict of interest, they must discuss this with the person in question and refer them to this policy. They must also notify the CEO. If the person in question is the CEO, then they must notify the Chair of the Board.

#### **4.2 Conflicts of Interest of Board Directors**

The IWDA Board Charter and the Corporations Act 2001 (Par 2D.1 Division 2) set out the responsibilities and expectations of all Board Directors, including in relation to management of conflicts of interest. This includes:

- required declarations at the time of appointment and on an ongoing basis, including at the commencement of each board meeting;

- at any time in the conduct of the business of IWDA, if any Board Director considers a matter to present a potential conflict of interest, the Director must declare that interest at the earliest opportunity, to the Board or the Chair.
- Subsequent involvement in the matter concerned shall be at the discretion of the Chair and the Board, provided that if the Director has a material personal interest within the meaning of section 195 of the Corporations Act they will abstain from voting or otherwise participating in the decision on the issue as and where required by section 195 of the Corporations Act.

#### **4.3 Conflicts of Interest of Employees, Contractors and Volunteers**

Once a conflict of interest has been appropriately disclosed, the CEO must decide how it will be managed. Where the conflict of interest involves the CEO, the CEO must disclose this to the Chair or Board, who will decide how it will be managed

The action and result of the decision will be communicated to the person in question and recorded in the Conflict of Interest Register.

#### **4.4 Compliance with this Policy**

Failure by any person to comply with the requirements of this policy will be regarded very seriously and may result in disciplinary action, up to and including termination of their employment, appointment or relationship with IWDA.

### **5. IMPLEMENTATION**

The Board is responsible for:

- approving, overseeing and reviewing this policy and associated systems;
- responding to any breaches by Board Directors or the CEO;

The CEO is responsible for:

- implementing a system for identifying, disclosing, managing and monitoring conflicts of interest across the organisation;
- responding to any breaches by employees, contractors or volunteers;
- ensuring organisational compliance with this policy.

### **6. REVIEW AND AMENDMENT**

This policy will be reviewed every three years to ensure it remains compliant with law, relevant and effective. All amendments must be approved by the Board.

### **7. REFERENCES/RELATED DOCUMENTS**

IWDA Conflict of Interest Declaration Form  
IWDA Conflict of Interest Procedure  
IWDA Conflict of Interest Register  
IWDA Code of Conduct

IWDA Fraud and Corruption Policy  
IWDA Partnership Agreements and Funding Orders  
IWDA Procurement Policy  
IWDA Procurement Procedure  
IWDA Risk Management Policy  
IWDA Risk Assessment Matrix  
IWDA Delegations Policy  
IWDA Delegations Matrix  
IWDA Whistle Blower Policy  
IWDA Whistle Blower Procedure  
IWDA Board Charter  
[ACFID Code of Conduct](#)  
[ACNC Governance Standards](#)  
[Fundraising Institute of Australia Code of Ethics and Professional Conduct](#)  
[Australian Charities and Not-for-profits Commission Act 2012 \(Cth\)](#)  
Corporations Act 2001