



CONFLICT OF INTEREST

Policy

A **conflict of interest** occurs when an employee's or Management Committee member's **personal interests are in conflict** with the organisation's and community's interest. A conflict of interest can arise from avoiding personal losses as well as gaining personal advantage, financial or otherwise.

When there is a conflict, it may influence the outcome of decisions that are required to be made therefore employees, management committee members and volunteers will declare any potential, perceived and/or actual conflicts of interests. AMPARO Advocacy will engage in open, transparent and ethical decision making processes.

Conflicts of interest can be actual, perceived, or potential:

- **Actual:** involves a **direct conflict** between current duties and responsibilities and existing private interests
- **Perceived:** conflict exists where it could be **perceived**, or **appears**, that private interests could improperly influence the performance of duties, whether or not this is in fact the case
- **Potential:** arises where private interests **could** conflict with official duties

Objective key test for Conflict of Interest

The test is: Whether an individual could be influenced, or appear to be influenced, by a private interest in carrying out their duties and responsibilities. This test should focus on the official role and the private relationships and interests of the person concerned, and whether a reasonable disinterested person would think these relationships and interests could conceivably conflict or appear to conflict with the person's public role.

Procedures

Disclosed conflict of interest - an open declaration of a conflict of interest.

What happens when a conflict of interest is disclosed?

- If a Management Committee member or employee of the organisation believes they have a conflict of interest in a matter that requires a decision to be made, the Management Committee member or employee should disclose the personal interest at a staff or Management Committee meeting. For example, if the organisation is deciding whether or not to fund an all-expenses-paid trip for a young person to attend a conference and the person is a son or daughter of a Management Committee member or an employee, the employee or Management Committee member must declare the conflict of interest.
- When an employee or Management Committee member of an organisation declares a potential or real conflict of interest at a meeting, the disclosure should be recorded in the Minutes.

- When a conflict of interest is disclosed, the Manager or Chair of the Management Committee should record the declaration in the *Conflict of Interest Register*
- If the management committee considers that a conflict of interest is a minor issue, the organisation may decide that disclosure and registering the conflict of interest *is a sufficient course of action*.
- If the management committee considers that a conflict is significant, the person who has the conflict must remove themselves from all discussions and decisions being made regarding the matter. The person will not be posted any internal papers or be involved in any discussion about the matter.
- If in doubt about how to handle a real or potential conflict of interest, the Management committee may seek legal advice.
- If it is impossible to resolve the conflict, that person may consider resigning from the Management Committee.
- Depending on the seriousness of the conflict of interest, the management committee have the option to seek the resignation or removal from office of the management committee member at a General Meeting of the association. The member will be removed from office if the majority of the members present at the meeting vote in favour of this. (See Constitution Rule 15).

Accessing the Conflict of Interest Register

- All persons wishing to access the *Conflict of Interest Register* should complete the *Request to Access Public Documents*.
- The *Conflict of Interest Register* should be made available to the general public within 21 days of request, unless there are special circumstances that exist or the applicant has been denied.
- The *Conflict of Interest Register* should be stored in a safe and secure location.

Related documents

[Conflict of Interest Register](#)

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