



CONFLICT OF INTEREST POLICY

Policy Number: POL-02
Version: 1.1 - September 03, 2021
Version: 1.0 - May 13, 2021
Next Review: April 30, 2022

INTRODUCTION

PURPOSE

The purpose of this policy is to ensure that Beyond Charity has clear policy and practice to effectively identify, disclose and manage any actual, potential or perceived conflicts of interest. This is important to protect the integrity and interests of Beyond Charity when we are contemplating entering into a transaction or arrangement that might impact or benefit the private or personal interest of a person in a position to influence decision-making at Beyond Charity.

SCOPE

The policy applies to all people serving Beyond Charity and in a position to participate in or influence decision-making, including board members, staff and volunteers. Where possible and practical, this policy also applies to board members, employees and staff of our community development partners.

This policy is intended to supplement, but not replace the applicable laws and guidelines governing conflict of interest applicable to non-profit organisations, including the ACFID Code of Conduct, as well as Beyond Charity's Rules.

DEFINITION

A conflict of interest occurs when a person's personal or private interest conflicts with their responsibility to act in the best interests of Beyond Charity.

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. A conflict of interest may be actual, potential or perceived and may be financial or non-financial, including in-kind or related to a person's reputation.

Conflicts of interest include circumstances that are current (an individual is in a situation where their duties for Beyond Charity can be influenced by their private or personal interests) or potential or foreseeable (an individual is in a situation where their duties for Beyond Charity might be influenced in the future by their private or personal interests).

These situations present the risk that a person will make or influence a decision based on, or affected by, these interests, rather than in the best interests of Beyond Charity.

OUR COMMITMENTS

Ethical, legal, financial or other conflicts of interest should be avoided where possible and any such conflicts (where they do arise) should be disclosed, carefully managed and not compromise the person's obligations to Beyond Charity.

- We are committed to creating a culture of responsible disclosure.
- We require that all staff, board members or volunteers in a position to participate in or influence decision-making at Beyond Charity disclose perceived, potential and actual conflicts of interest. This includes any affiliation they might have with an actual or potential supplier of goods and services, recipient of grant funds, or organisation with competing or conflicting objectives. They must disclose any financial interest which they have in any transaction or arrangement anticipated by Beyond Charity.
- Beyond Charity representatives should regularly reflect on conflict of interest possibilities and should always consider any conflict of interest possibilities when considering or being asked to engage in any new activity.
- Disclosures must be made before any decision is made or expected regarding the particular situation that raises concerns.

- Any conflict of interest that occurred inadvertently or otherwise without disclosure shall be disclosed as soon as possible by the person who has the conflict or by any person involved with Beyond Charity who learns of it.

Once a conflict of interest has been appropriately disclosed, Beyond Charity will carefully manage the disclosure and examine the nature and implications of the conflict, including

- whether the conflict needs to be avoided or simply documented
- whether the conflict will realistically impair decision-making
- whether the conflict will create an appearance of improper conduct that might impact confidence in or reputation of Beyond Charity
- whether the conflict can be responsibly and transparently managed through disclosure and limiting that person's involvement in discussion and decision-making on the matter.

Where a disclosure is made, the person making the disclosure should not be present during any discussion leading to a decision regarding how to manage the conflict of interest.

All conflicts of interest (actual, potential and perceived) will be recorded in a Register of Conflicts of Interest, including the nature and extent of the conflict of interest and any steps taken to address it.

ROLES AND RESPONSIBILITIES

The Board

The board is responsible for:

- establishing a system to identify, disclose and manage conflicts of interest across Beyond Charity;
- monitoring compliance with this policy, and
- reviewing this policy to ensure that the policy is operating effectively.

Board meetings will commence with a conflict of interest disclosure.

Each Board member must disclose any affiliation they might have with an actual or potential supplier of goods and services, recipient of grant funds, or organisation with competing or conflicting objectives. They must disclose any financial interest which they have in any transaction or arrangement anticipated by Beyond Charity.

Where the perceived, actual or potential conflict of interest concerns a member of the Board or the General Manager, it is the Board's responsibility to review all relevant information and determine whether a conflict of interest exists, and measures to be taken to remove the conflict

Where any perceived, actual or potential conflict of interest is considered by the Board, the Board will ensure:

- All material facts are disclosed to the Board for informed decision-making;
- Any person with a perceived, actual or potential conflict of interest are absented from discussion and decision-making on the matter;
- If appropriate, a disinterested person or committee will be appointed to investigate alternatives to the proposed transaction or arrangement or investigate the matter and make recommendations;
- Properly minuted records of the decision are kept
- The conflict is recorded in the Register of Conflicts of Interest.

The Board shall consider any request by any person for information on any conflict of interest.

Board members receive no payment, fees, salaries or allowances for serving on the Board, nor do they receive any monetary compensation for attending Board meetings, other than out-of-pocket expenses.

General Manager (or CEO)

The General Manager manages perceived, actual or potential conflict of interest issues with respect to staff, volunteers and partner organisations.

The General Manager will ensure that employees and volunteers are educated on the content of this Policy and are obligated to disclose any actual, perceived or potential conflict of interest to the General Manager or the Board Chair. Where the General Manager has a conflict of interest, the General Manager shall disclose this to the Chair and the Chair may determine the required action or refer the matter to the Board.

Where a disclosure is made, the General Manager will determine the required action or refer the matter to the Chair. The General Manager will record any disclosures in the Register of Conflict of Interest to be tabled at the Board meeting immediately following the disclosure.

Conflicts of Interest with Community Partners

Prior to selecting a project with a partner, the Coordinator must discuss this policy with our potential partner to ensure that the project is in line with this policy. If a perceived, actual or potential conflict of interest does exist, the Coordinator will work with the General Manager or Board Chair to address the conflict in accordance with this policy.

This policy also discourages the giving and receiving of gifts from community partners and require that any gifts given to Beyond Charity representatives are disclosed and that gifts of significant value are declined.

VIOLATIONS

If the Board, Board Chair of General Manager/CEO has reasonable cause to believe a Board member, employee, volunteer or partner organisation has failed to disclose actual, perceived or potential conflicts of interest, it shall:

- inform the interested person of the basis for such belief and afford the person an opportunity to explain the alleged failure to disclose
- investigate the conflict as warranted by the circumstances
- take appropriate disciplinary and corrective action if warranted.

BREACH

Breach of this Policy may result in disciplinary action and may ultimately jeopardise the staff member's employment or the volunteer's engagement with Beyond Charity.