

<b>Policy Name</b>	<b>Conflict of Interest</b>
<b>Policy Number</b>	<b>2</b>
Version No.	V2
Approved by Board on	9 February 2016
Amendment dates	23 October 2018
Last Review	12 March 2019
Review dates	2017, 2018, 2019, 2020

## Introduction

STA is committed to carrying out its business and delivering its services in a fair, impartial and transparent manner. This policy deals with situations in which Board members and staff may have an actual, perceived or potential conflict of interest between their personal interests and those of STA.

The standard of behaviour at STA is that all Board members, staff and volunteers scrupulously avoid conflicts of interest between their personal, professional, and business interests and those of STA. This includes avoiding potential and actual conflicts of interest, as well as perceptions of conflict of interest because these may affect a person's judgment or may lead to bias in their decision making. It is not always possible to avoid a conflict of interest. A conflict of interest is not necessarily unethical or wrong.

If you are unsure as to whether or not you have a conflict of interests in relation to a matter, you should consider these six points:

1. Do you have a personal interest in a matter you are officially involved with?
2. Is it likely you could be influenced by a personal interest in carrying out your public duty?
3. Would a reasonable person believe you could be so influenced?
4. What would be the public perception of whether or not you have a conflict of interests?
5. Do your personal interests conflict with your official role?
6. What steps do you need to take and that a reasonable person would expect you to take to appropriately manage any conflict of interests?
7. Could there be a personal financial gain from your action or decision?

## Purpose

The purpose of this policy is to set out a framework for employees and relevant persons to identify, disclose, manage and monitor conflicts of interest in order to protect the integrity of the STA decision making process and business judgements to ensure our stakeholders have confidence in our integrity and to protect the reputations of Board, staff and volunteers.

## Key concepts and definitions

A conflict of interest arises from a conflict between the performance of a public duty and a private or personal interest.

A personal interest includes the private, professional or business interests of a person, or of the individuals or groups with whom they have a close association, such as relatives, friends, or even enemies. Personal interests may be pecuniary or non-pecuniary.

- **Pecuniary:** a pecuniary interest refers to an actual or potential financial gain or loss for the person, their family, friends or close associates
- **Non-pecuniary:** a non-pecuniary interest refers to an interest that is not financial or monetary but arises from such things as personal relationships, beliefs or involvement in social, cultural, religious or sporting activities

A conflict of interest may be actual, perceived or potential.

- **Actual:** an actual conflict of interest occurs when there is a conflict between a person's official duties and responsibilities in serving the public interest and their personal interest
- **Perceived:** a perceived conflict of interest occurs when a reasonable person, knowing the facts, would consider that a conflict of interest may exist, whether or not this is the case
- **Potential:** a potential conflict of interest occurs where a person has a personal interest that could conflict with their official duties in the future

## Scope

This policy applies to all persons administered by or working for STA including:

- Employees, whether full-time, part-time, fixed-term or on contract
- Board members
- Volunteers
- Suppliers or consultants whose contracts specify that they are bound by this policy

## Policy

It is the responsibility of Board Directors and staff to disclose any potential or actual conflict of interest, as well as any perceptions of conflict of interest.

A conflict of interest will be resolved in the following ways by:

- signing an Annual Statement declaring possible Conflict of Interest
- declaring and recording a conflict of interest at the beginning of the Board meeting, or at the commencement of an agenda item
- the Board member, the ED or staff member withdrawing, or being requested to withdraw, from any decision-making involving the subject of the conflict of interest at the meeting

Upon or before election, hiring, or appointment, staff, volunteers and Board members must make a full written disclosure of interests and relationships, and holdings that could potentially result in a conflict of interest. This written disclosure will be kept on file at STA and be updated annually.



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In the course of meetings or activities, any conflict of interest must be disclosed including any decision where (including business or other non-profit affiliations), a family member and/or spouse/partner, employer, or close associates will receive a pecuniary or non-pecuniary benefit or gain. After disclosure, the member will be asked to leave the room for the discussion and will not be permitted to vote on the question.

Conflict of Interest will be listed as an item for each Board meeting.

**Relevant documents:**

Annual Conflict of Interest Statement: Board/Staff  
Conflict of Interest Declaration: Board Member Induction  
Code of Conduct  
Gifts, Benefits and Bribes Policy  
Fraud Prevention Policy



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### **Conflict of Interest Declaration – Board Member Induction**

The standard of behaviour at Southern Tablelands Arts Inc. is that all Board, staff and volunteers scrupulously avoid conflicts of interest between the interests of the organisation and personal, professional, and business interests on the other. This includes avoiding potential and actual conflicts of interest, as well as perceptions of conflict of interest.

I understand that the purpose of this policy is to protect the integrity of STA the decision-making process and business judgements, to enable our stakeholders to have confidence in our integrity, and to protect the reputations of the Board, staff and volunteers.

Upon or before election, hiring, or appointment, I will make a full written disclosure of interests and relationships and holdings that could potentially result in a conflict of interest. This written disclosure will be kept on file and I will update it as appropriate.

In the course of meetings or activities, I will disclose any conflict of interest or decision where I (including my business or other non-profit affiliations), my family and/or my spouse/partner, employer, or close associates will receive a benefit or gain. After disclosure, I understand that I will be asked to leave the room for the discussion and will not be permitted to vote on the question.

I understand this policy is meant to supplement good judgement, and I will respect its spirit as well as its wording.

**Signed:**

**Date:**

**Print Name**



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**Board Members/Staff Annual Statement Concerning Possible Conflict of Interest**

The undersigned person acknowledges a receipt of a copy of the Conflict of Interest Policy.

By my signature affixed below I acknowledge my agreement with the spirit and intent of this policy and I agree to report to the President any possible conflicts (other than those stated below) that may develop before completion of the next Annual Statement.

I am on the Board of the following organisations:

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I have a personal financial interest (comprising greater than 10% of the capital) in the following organisations

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I am not aware of any actual Conflict of Interest in relation to the above Board memberships and financial stakeholding.

I may have a conflict of interest or potential conflict of interest in the following area(s):

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**Signed:**

**Date:**

**Print Name:**