

CROQUET ASSOCIATION QUEENSLAND INC.



Policy: CONFLICT OF INTEREST POLICY

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4. CAQ CONFLICTS OF INTEREST POLICY



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Responsible person	CAQ Secretary	Last reviewed	Feb 2020
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Introduction

The Management Committee of Croquet Association Queensland Inc. (CAQ) is committed to high standards of ethical conduct and accordingly places great importance on making clear any existing or potential conflict of interest.

The CAQ Management Committee has a fiduciary responsibility to its members and key stakeholders to:

- ensure that Management Committee members are aware of their obligations to disclose any conflicts of interest that they may have, and
- to comply with this policy to ensure they effectively manage those conflicts of interest as representatives of CAQ.

Purpose

The purpose of this policy is to provide a framework for the Management Committee members of CAQ to effectively identify, disclose and manage any actual, potential or perceived conflicts of interest in order to protect the integrity of CAQ and manage risk.

Policy

The Management Committee of CAQ is committed to upholding the ASC Sports Governance Principles, particularly in relation to ethical behavior, transparency and integrity. In support of this commitment, CAQ has developed this policy which covers the identification, disclosure and management of conflicts 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.
- It also includes a conflict between a Management Committee member's duty to CAQ and another duty that the Management Committee member may have.
- A conflict of interest may be actual, potential or perceived and may be financial or non-financial.

These situations present the risk that a person may make a decision based on, or affected by, these influences, rather than in the best interests of the organization, their 'fiduciary duty' and must be managed accordingly.

This policy has been developed because conflicts of interest commonly arise and do not need to present a problem to CAQ if they are openly and effectively managed. It is the policy of CAQ as well as a responsibility of the Management Committee, that ethical, legal, financial or other conflicts of interest be avoided and that any such conflicts (where they do arise) do not conflict with the obligations to CAQ.

Procedures

CAQ will manage conflicts of interest by requiring Management Committee members to:

- avoid conflicts of interest where possible
- identify and disclose any actual, perceived or potential conflicts of interest
- carefully manage any conflicts of interest, and
- follow this policy and respond to any breaches.

1. Responsibility of the Management Committee

The Management Committee is responsible for:

- establishing a system for identifying, disclosing and managing conflicts of interest across CAQ
- implementing a process that governs a Management Committee member's involvement in any decisions with which they have a conflict of interest
- maintaining a register of ongoing interest to provide a record of all potential conflicts
- monitoring and ensuring compliance with this policy, and
- reviewing this policy on an annual basis to ensure that the policy is operating effectively.

The Management Committee of CAQ must ensure that its Management Committee members are aware of the **ASC Sports Governance Principles**, particularly principles 1.11 and 6 which deal with fiduciary duties, code of conduct and ethical and responsible decision making.

2. Identification and disclosure of conflicts of interest

Once an actual, potential or perceived conflict of interest is identified, it must be entered into CAQ's register of interests, as well as being raised with the Management Committee. Where all of the other Management Committee members share a conflict, the Management Committee should refer to policy principle 4 to ensure that proper disclosure occurs. The register of interests must be maintained by the CAQ Secretary and record information related to a conflict of interest (including the nature and extent of the conflict of interest and any steps taken to address it).

3. Confidentiality of disclosures

If a person declares themselves to have an existing or potential conflict of interest, confidentiality shall be respected. The Management Committee shall make a decision about who will have access to the information disclosed and whether it shall be restricted to Management Committee members. It may be necessary to provide for an alternative disclosure mechanism if additional restrictions on disclosure are required.

4. Action required for management of conflicts of interest

4.1 Conflicts of interest of Management Committee members

Management Committee members shall declare any conflicts of interest either at the start of the Management Committee meeting concerned or when a relevant issue arises. The nature of this conflict of interest should be entered into the meeting minutes.

Once the conflict of interest has been appropriately disclosed, the Management Committee (excluding the Management Committee member disclosing and any other conflicted Management Committee member) must decide whether or not those conflicted Management Committee members should:

- vote on the matter (this is a minimum),
- participate in any debate, or
- be present in the room during the debate and the voting.

In exceptional circumstances, such as where a conflict is very significant or likely to prevent a Management Committee member from regularly participating in discussions, it may be worth the Management Committee considering whether it is appropriate for the person conflicted to resign from the Management Committee.

4.2 What should be considered when deciding what action to take

- In deciding what approach to take, the Management Committee will consider whether the conflict needs to be avoided or simply documented

- whether the conflict will realistically impair the disclosing person's capacity to impartially participate in decision-making
- alternative options to avoid the conflict
- the association's objects and resources, and
- the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of, the charity.

The approval of any action requires the agreement of at least a majority of the Management Committee (excluding any conflicted Management Committee member/s) who are present and voting at the meeting. The action and result of the voting will be recorded in the minutes of the meeting and in the register of interests.

4.3 Compliance with this policy

If the Management Committee has a reason to believe that a person subject to the policy has failed to comply with it, it will investigate the circumstances.

A Management Committee member who believes another Management Committee member has an undeclared conflict of interest should in the first instance discuss with the person in question the nature of the conflict. If the person fails to disclose the alleged conflict of interest, then the person suspecting the conflict of interest should specify in writing the basis of the potential conflict of interest to the President who may then raise this with the person concerned or if required, with the Management Committee.

If it is found that this person has failed to disclose a conflict of interest, the Management Committee may take action against them. This may include seeking to terminate their relationship with CAQ.

Examples of what a conflict of interest could be (but are not limited to):

- When a Management Committee member or his/her immediate family or business interests stands to gain financially from any business dealings, programs or services of the organisation.
- When a Management Committee member him/herself offers professional services to the organisation.
- When a Management Committee member stands to gain personally or professionally from any insider knowledge if that knowledge is used to personal advantage.
- Where a Management Committee member or the ex/officio member of the Management Committee has a role on the governing body of another organisation, where the activities of that other body may be in direct conflict or competition with the activities of CAQ.

Responsibility

Croquet Association Queensland's:

- Management Committee is responsible for adopting this policy.
- Management Committee, staff members (if applicable), contractors and volunteers are responsible for the implementation of this policy.
- Management Committee (or its nominee) is responsible for monitoring changes in legislation and for reviewing this policy as and when the need arises.

Authorisation

Croquet Association Queensland Inc. Management Committee.

Any comments or questions on the Conflicts of Interest Policy should be forwarded to:
The Secretary, Croquet Association Queensland Inc., Sports House, 150 Caxton Street, Milton
Q. 4064.

Ph: (07) 3876-5576. E-Mail: secretary@croquetqld.org

[Relayed documents](#)

https://www.sportaus.gov.au/_data/assets/pdf_file/0011/686036/CORP_33978_Sports_Governance_Principles.pdf

Code of Ethics

CAQ Constitution