



## Conflict of interest policy

### 1. Purpose

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

### 2. Objective

JudoACT aims to ensure that 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 JudoACT. The policy ensures that JudoACT has in place adequate arrangements, to manage actual, potential or perceived conflicts of interest.

### 3. Scope

This policy applies to the committee members of JudoACT and applies to other people who have positions with JudoACT.

### 4. Definition of conflicts of interests

A conflict of interest occurs when a person's personal interests' conflict with their responsibility to act in the best interests of JudoACT.

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 committee member's duty to Judo Australia, ACT Clubs and another duty that the committee member has (eg, to another organisation). 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 will make a decision based on, or affected by, these influences, rather than in the best interests of JudoACT. These situations must be managed accordingly.

Without detracting from the above, a conflict of interest refers to any situation in which financial, professional or personal obligation may compromise or present the appearance of compromising an individual's professional judgement. The conflict may be of benefit to an entity, an employee, the individual's spouse, and/or their children or family members from a decision or access to information. The benefit may be financial or non-financial.

### 5. Policy

This policy has been developed to address conflicts of interest affecting JudoACT.

Conflict of interest are common, and they do not need to present a problem as long as they are openly and effectively managed.

It is the policy of JudoACT, as well as a responsibility of the 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 JudoACT.



JudoACT will manage conflicts of interest by requiring committee members to:

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

### **5.1. Responsibility of the committee**

The committee is responsible for:

- establishing a system for identifying, disclosing and managing conflicts of interest across JudoACT
- monitoring compliance with this policy
- reviewing this policy on an annual basis to ensure that the policy is operating effectively.

### **5.2. Identification and disclosure of conflicts of interest**

Once an actual, potential or perceived conflict of interest is identified, it must be entered into JudoACT's register of interests, as well as being raised with the committee.

The register of interests must be maintained by the Secretary. The register must 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).

As part of the initial declaration of a conflict, the individual will acknowledge:

- the reasonable steps to avoid any conflicts in carrying out their duties, and will disclose any potential conflicts that emerge in the course of these duties
- to make regular disclosures throughout the period during which they or until such time the conflict ceases to exist
- to agree to comply with any conditions or restriction reasonably imposed by the committee to manage, mitigate or eliminate any actual, potential or perceived conflict.

As part of ongoing declarations, at each committee meeting, the President will ask committee members to declare any actual, potential or perceived conflict of interest arising out of the issues on the meeting agenda.

The Secretary of the meeting will record the declarations in the minutes and actions taken including details of when the committee member left the room and returned after discussion of the item, if applicable.

### **5.3 Confidentiality of disclosures**

Access to information disclosed will be restricted to committee members, if tasked to investigate conflict of interest claims.



## **6. Action required to manage conflicts of interest**

### **6.1. Conflicts of interest of committee members**

Once the conflict of interest has been appropriately disclosed, the committee (excluding the committee member who has made the disclosure, as well as any other conflicted committee member) must decide whether or not those conflicted 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 significant or likely to prevent a committee member from regularly participating in discussions, it may be worth the committee considering if it is appropriate for the person conflicted to resign from the committee.

### **6.2. What should be considered when deciding what action to take**

In deciding what approach to take, the 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
- JudoACT objects and resources, and
- the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of, JudoACT.

The approval of any action requires the agreement of a majority of the committee (excluding any conflicted 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.

## **7. Compliance with this policy**

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

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

If a person suspects that a committee member has failed to disclose a conflict of interest, they must discuss this with the relevant person, notify the committee, or the Secretary, who is the person responsible for maintaining the register of interests.