



# ACEA

Australasian Corrections  
Education Association

Create the Opportunity

## CONFLICT OF INTEREST POLICY

Policy number	005	Version	1.0
Drafted by	Paul Barnes	Approved by Executive on	10 January 2020
Responsible person	Paul Barnes	Scheduled review date	10 January 2021

### INTRODUCTION

The Executive Committee of Australasian Corrections Education Association is committed to high standards of ethical conduct and accordingly places great importance on making clear any existing or potential conflict of interest.

### PURPOSE

This policy has been developed to provide a framework for:

- all Executive Committee Members in declaring conflicts of interest; and
- the Executive Committee, when determining how to deal with situations of conflict.

### POLICY

A conflict of interest may occur if a financial interest or a relationship influences or appears to influence the ability of an Executive Committee Member to exercise objectivity.

The Executive Committee places great importance on making clear any existing or potential conflicts of interest. All such conflicts of interest shall be declared by the member concerned. All conflicts of interest, as defined by statute, shall be documented in the Executive Committee's Conflicts of Interest Register.

Where an Executive Committee member has an actual or perceived financial conflict of interest, as defined by statute, that Executive Committee member shall not initiate or take part in any Executive Committee discussion on that topic (either in the meeting or with other Executive Committee members before or after the Executive Committee meetings), unless expressly invited to do so by unanimous agreement by all other members present.

Where an Executive Committee member has an actual or perceived financial conflict of interest, as defined by statute, that Executive Committee member shall not vote on that matter.

Where an Executive Committee member has an actual or perceived conflict of interest related to their relationship with an employee or volunteer of the association, or any other person having dealings with the association, that Executive Committee member shall not initiate or take part in any Executive Committee discussion on that topic (either in the meeting or with other Executive Committee members before or after the Executive Committee meetings), unless expressly authorised to do so by the Executive Committee.

Where an Executive Committee member has an actual or perceived conflict of interest related to their relationship with an employee or volunteer of the association, or any other person having dealings with the organisation, that Executive Committee member shall not vote on that matter, unless expressly authorised to do so by the Executive Committee.

The Executive Committee may further supplement the definition of conflict of interest from time to time if it so wishes, and may specify the procedures to apply in such cases.

Executive Committee members are not barred from engaging in business dealings with the organisation, provided that these are negotiated at arm's length without the participation of the Executive Committee member concerned.

An Executive Committee member who believes another Executive Committee member has an undeclared conflict of interest should specify in writing to the Secretary the basis of this potential conflict.

## **AUTHORISATION**

Ron Wilson

10 January 2020

President, Australasian Corrections Education Association (Inc.)

# CONFLICT OF INTEREST PROCEDURES

Procedures number	005	Version	1.0
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## RESPONSIBILITIES

The President is responsible for bringing this policy to the attention of prospective Executive Committee members.

All Executive Committee members are responsible for respecting this policy.

## PROCEDURES

Before an Executive Committee Member begins his or her service with the organisation, they shall file with the Secretary a list of their principal business activities, as well as involvement with other charitable and business organisations, vendors or business interests, or with any other associations that might produce a conflict of interest. This information should be documented in the Conflict of Interest Checklist and recorded in Conflict of Interest Register by the Secretary.

Executive Committee members shall also file with the Secretary notification of any relationships between themselves and any employee or volunteer of the association, or any other person having dealings with the association that might reasonably give rise to the perception of a conflict of interest.

Further, Executive Committee Members shall declare any conflicts of interest of which they become aware either at the start of the Executive Committee meeting concerned or when a relevant issue arises. The nature of this conflict of interest should be entered in the meeting minutes. The nature of the conflict of interest should also be documented in the Conflict of Interest Checklist and recorded on the Conflict of Interest Register by the Secretary.

Where a conflict of interest or potential conflict of interest, as defined below, is identified and/or registered, the Executive Committee member concerned shall leave the room as soon as that item comes up for discussion. The concerned Executive Committee member shall not vote on that issue, nor initiate or take part in any Executive Committee discussion on that topic (either in the meeting or with other Executive Committee members before or after the Executive Committee meetings), unless expressly invited to do so by unanimous agreement by all other members present. The Executive Committee Member's abstinence should be recorded in the meeting minutes.

If a person declares themselves to have an existing or potential conflict of interest, confidentiality will be respected. If a person alleges that another person has a conflict of interest, whether existing or potential, and that person does not agree, and if the Executive Committee cannot resolve this allegation to the satisfaction of both parties, the matter shall be referred to a Sub-Committee. The sub-committee will make a recommendation to the Executive Committee as to what action shall be taken.

'Conflict of interest' is defined as applying in accordance with the statute, where an Executive Committee member stands to gain financially from any business dealings, programs or services of the association, other than where:

- a. the Executive Committee member falls into the class of people benefited by the association and the financial gain is of a nature common to other beneficiaries, or
- b. the person is an employee of the association, and the financial gain is of a nature common to other employees.

If the association has by-laws or rules, 'conflict of interest' is defined under the by-laws or rules where:

- a. the immediate family or business connections of an Executive Committee member, or any person with whom the Executive Committee member is in a close relationship, stands to gain financially from any business dealings, programs or services of the association,
- b. the person is an employee of the association,
- c. an Executive Committee member or the ex-officio member of the Executive Committee has a role on the governing body of another association, where the activities of that other body may be in direct conflict or competition with the activities of Australasian Corrections Education Association.

'Close relationship' is defined as any relationship that might reasonably give rise to an apprehension that the Executive Committee member might place the interests of the other party above the interests of the association.

## **RELATED DOCUMENTS**

- Conflict of Interest Checklist

## **AUTHORISATION**

Ron Wilson  
10 January 2020  
President, Australasian Corrections Education Association (Inc.)

APPENDIX A

## CONFLICT OF INTEREST CHECKLIST

This checklist is to be used by the President of Australasian Corrections Education Association each meeting to record conflicts of interest identified by Board members.

Completed checklists should be stored with the minutes of each meeting.

**After the opening of the meeting, ask all the members to declare any potential conflict of interest arising out of any of the issues to be put to the meeting.**

Date of Meeting:   /   / 20

Name of Member \_\_\_\_\_

Issue of Conflict \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Note the disclosure of the conflict of interest and the decision of the Executive Committee on how to deal with this conflict.

Record Response \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Ensure that the minutes record the declaration of interests declared at this meeting

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

Signed \_\_\_\_\_ Position \_\_\_\_\_