



1. Purpose

The purpose of this policy is to ensure that actual, potential and perceived conflicts of interest are identified and managed effectively in order to protect the integrity of The School of St Jude Limited in Australia ('SOSJ-A') and manage risk.

2. Objective

The SOSJ-A Board (called the 'board' in this policy) aims to ensure that all people who work with SOSJ-A 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 SOSJ-A.

3. Scope

This policy applies to:

- the board members of SOSJ-A
- employees (whether full time, part time, casual, permanent or temporary), and
- volunteers, contractors and consultants.

4. Definition of conflict 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 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 (for example, as a shareholder). It also includes a conflict between a person's duty to SOSJ-A and another duty that the person has (for example, to another charity). 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 the charity and must be managed accordingly.

5. Policy

This policy has been developed because conflicts of interest commonly arise, and do not need to present a problem to the charity if they are openly and effectively managed. It is the policy of SOSJ-A as well as a responsibility of the board, 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 SOSJ-A.

SOSJ-A will manage conflicts of interest by:

- avoiding conflicts of interest where possible
- identifying and disclosing any conflicts of interest
- carefully managing any conflicts of interest, and
- following this policy and responding to any breaches.

5.1 Responsibilities

The board is responsible for:

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

The charity must ensure that its board members are aware of the ACNC governance standards, particularly governance standard 5, and that they disclose any actual or perceived material conflicts of interests as required by governance standard 5.

5.2 Identifying and recording conflicts of interest

Once an actual, potential or perceived conflict of interest is identified, it must be entered into SOSJ-A's register of interests, as well as being raised with the board. Where all of the board members share a conflict, the board should refer to governance standard 5 to ensure

6.2 What approach to take when deciding on a conflict of interest

In deciding what approach to take, the board 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 charity'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 board (excluding any conflicted board 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. Conflict of interest

If the board 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 board may take action against them. This may include issuing a warning or seeking to terminate their relationship with the charity.

If a person suspects that a board member has failed to disclose a conflict of interest, they must notify the board via the Chairman or the Secretary.

Contact

For questions about this policy, contact the board via email at board@stjohnscharity.org.uk