



# **Australian Council of Stoma Associations Inc (ACSA)**

## **Conflict of Interest Policy**

### **1. Purpose**

Actions and decisions made at all levels by the Australian Council of Stoma Associations (the Organisation) need to be informed, objective and fair. A conflict of interest may affect the way a person acts, decisions they make, or the way they vote in group decisions. Conflicts of interest need to be identified and action taken to ensure that personal or individual interests do not affect the Organisation's services, activities or decisions.

Declaration and management of conflicts of interest are specifically required for the Organisation's Executive Committee members as part of their legal responsibility as governing committee members.

Declaration and management of conflicts of interest are also required for all workers (including voluntary workers) of the Organisation as part of their responsibility to the Organisation's Executive Committee and to members of the Organisation.

### **2. Scope**

This policy will apply to all members of the Organisation's Executive Committee and to all workers for the Organisation (including voluntary workers).

#### *Definition*

This policy will apply to situations where the personal interests of an individual or group of individuals directly conflict with the best interests of the Organisation, its members and other persons to whom the Organisation may provide representation, or where the decisions or actions of individuals may be influenced by their personal interests rather than those of the Organisation.

A Conflict of Interest may be:

- Actual – there is a situation that involves inconsistent interests
- Perceived – it may appear there is a situation involving inconsistent interests (whether or not there is actually such a situation)
- Potential – it is evident there could potentially be a situation involving inconsistent interests, but it has not yet arisen.

This will include situations in which:

- close personal friends or family members are involved, such as decisions about employment, discipline or dismissal, service allocation or awarding of contracts
- an individual or their close friends or family members may make a financial gain or gain some other form of advantage
- an individual is involved with another organisation that is in a competitive relationship with the Organisation and therefore may have access to plans or financial information

- an individual is bound by prior agreements or allegiances to other individuals or agencies that require them to act in the interests of that person or agency or to take a particular position on an issue.

### **3. Policy statement**

The Australian Council of Stoma Associations Inc (ACSA) is committed to ensuring that personal or individual interests that conflict with the interests of the Organisation are identified and managed so that they do not affect the services, activities or decisions of the Organisation. Specifically, we will:

- include conflict of interest disclosure as a standing item on the agenda for all Executive Committee meetings
- maintain a register of conflicts of interest
- register known conflicts of interest when people first join the Organisation as an Executive Committee member or worker (including as a voluntary worker)
- require that people in the Organisation declare any conflicts of interest as they arise
- provide a process for people in the Organisation to notify about undeclared conflicts of interest they believe exist
- manage conflicts of interest consistently and fairly
- maintain appropriate confidentiality about disclosed interests.

### **4. Procedures**

#### *4.1 Registering known conflicts of interest*

Executive Committee members and workers (including voluntary workers) will be asked to declare any conflicts of interest when they first join the Organisation and to declare all conflicts of interest that may arise during their involvement with the Organisation.

A register of conflicts of interest will be maintained and held by the Secretary of the Organisation. All potential and actual conflicts should be recorded on a "Declaration of Conflict of Interest" form and held in the register. The declaration should show:

- the name of individual
- the nature of the interest they hold
- the date of the record
- the outcome of an evaluation of the conflict (acceptable/unacceptable) and, if applicable, how the conflict of interest was managed

#### *4.2 Identifying and declaring conflicts of interest*

Executive Committee members and workers (including voluntary workers) of the Organisation are required to declare any potential or actual conflicts of interest they are aware of by:

- informing those present when a conflict becomes apparent (this should always be applied where the individual is about to take part in a decision-making process)
- formal notification in writing to the Secretary of the Organisation. Such formal notification is to be made as soon as practicable after the conflict of interest arises or becomes apparent.

### 4.3 Managing conflicts of interest

Where an apparent conflict of interest arises, the following steps will be taken:

- the matter will be reviewed by the Executive Committee
- an evaluation will be made as to whether a bona fide conflict of interest exists
- if a bona fide conflict is found to exist, it will be categorised as either:
  - 'Acceptable', where:
    - the conflict of interest is unlikely to have any material adverse consequences for the Organisation or
    - arrangements are capable of being put in place to ensure the conflict of interest does not have any material adverse consequences for the Organisation
  - 'Unacceptable', where:
    - the conflict of interest may have a material adverse consequence for the Organisation
    - the conflict of interest may result in a contravention of a law or regulation,
- where a conflict of interest is categorised as unacceptable, the individual will be instructed to discontinue their participation in the activity or decision
- a record of the conflict and how it was managed will be recorded in the Register of Conflicts by the Secretary of the Organisation

### 5. Other related policies and procedures

Documents related to this policy	
Related Documents	<ul style="list-style-type: none"><li>• Australian Council of Stoma Association Inc Code of Ethics</li><li>• Governance for Good (ACNC, April 2013)</li></ul>
Forms or other organisational documents	<ul style="list-style-type: none"><li>• Conflict of Interest Checklist</li><li>• Declaration of Conflict of Interest</li><li>• Conflict of Interest Register Summary Sheet</li></ul>

## 6. Review processes

<b>Policy review frequency:</b> Annual review	<b>Responsibility for review:</b> The Executive Committee President
<b>Review process:</b> <ul style="list-style-type: none"><li>• The Conflict of Interest Policy is to be included in an annual review of ACSA Governance Policies.</li><li>• All changes to the policy are to be endorsed by Executive Committee members at the first ACSA Executive Committee meeting following the policy change.</li></ul>	
<b>Documentation and Communication:</b> <ul style="list-style-type: none"><li>• Changes to the policy will be noted in the ACSA Executive Committee Minutes</li><li>• A copy of the updated policy will be circulated to all member associations with the Minutes</li></ul>	

**Appendix A**

**CONFLICT OF INTEREST CHECKLIST**

This checklist is to be used by the Australian Council of Stoma Associations Inc Executive Committee President (or Chairperson) at each meeting to record conflicts of interest identified by Executive Committee 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:**   /   / 200

**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** \_\_\_\_\_ **200**\_\_

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

**Appendix B**

**Declaration of Conflict of Interest**

I wish to declare the following private interest that conflicts or may conflict with the discharge of my responsibilities as an officer, employee or volunteer worker in a matter in which the Australian Association of Stoma Associations Inc (the Organisation) has an interest or which is under consideration by the Organisation.

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**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Full Name of Declarant:**

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This declaration was tabled and minuted at the Australian Council of Stoma Associations Inc meeting at ... (place) and ... (day) of ... (month) ... (year).

Course of action directed by the Executive Committee to resolve conflict of interest:

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**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**President/Chairperson:** \_\_\_\_\_

*Completed Declaration to be filed in Register of Conflicts*

**Appendix C**

**Conflicts of Interest Register Summary Sheet**

Date	Name	Nature of Conflict