**Conflict of interest policy**

|  |
| --- |
| This is a template policy developed for general use by Baptist Churches in NSW and ACT and may not necessarily be suitable for you and your church's situation.  The information provided in this document is accurate and up-to-date as of the time of writing. However, due to the possibility of changes in circumstances or changes in legislative requirements and best practise, we cannot guarantee the continued accuracy or relevance of the content.  It is recommended that you consider whether the information is appropriate to your needs, and where appropriate, seek professional advice.  This document should be used and read in conjunction with the *Guide to the Template Policies* document.  The following template Conflict of interest policy has been developed based on the ACNC’s template policy available at <https://www.acnc.gov.au/tools/templates/conflict-interest-policy> |

**Purpose**

The purpose of this policy is to help **[the governance group]** of **ABC Baptist Church** “the church”to effectively identify, disclose and manage any actual, potential or perceived conflicts of interest in order to protect the integrity of **ABC Baptist Church** and manage risk.

**Objective**

The **ABC Baptist Church’s [governance group]** (called the **[‘governance group’]** in this policy) aims to ensure that the governance group is 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 **ABC Baptist Church.**

**Scope**

This policy applies to the governance group, employees and volunteers of **ABC Baptist Church.**

**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 the church.

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 board member).

It also includes a conflict between a **[governance group member’s]** duty to **ABC Baptist Church** and another duty that the **[governance group member]** has (for example, to another church). 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 church.

Therefore, these situations must be managed accordingly.

**Policy**

This policy has been developed to address conflicts of interest affecting **[ABC Baptist Church]**.

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

It is the policy of church, as well as a responsibility of the **[Governance Group]**, 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 the church.

The churchwill manage conflicts of interest by requiring **[Governance Group]** to:

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

**Responsibility of the [Governance Group]**

The **[Governance Group]** is responsible for:

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

The church must ensure that its governance group is 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.

**Identification and disclosure of conflicts of interest**

Once an actual, potential or perceived conflict of interest is identified, it must be entered into the church’s Conflict of Interest Register, as well as being raised with the **[Governance Group]**.

Where every other **[Governance Group]** member shares a conflict, the **[Governance Group]** should refer to ACNC Governance Standard 5 to ensure that proper disclosure occurs.

The Conflicts of Interest register must be maintained by the **[Secretary]** of the church. 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).

Refer to Appendix A for a template Conflicts of Interest register.

**Confidentiality of disclosures**

The disclosures will be maintained by the **[Secretary]** of the church and may be shared with the **[Governance Group]** as necessary.

**Action required to manage conflicts of interest**

**Conflicts of interest of governance group**

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

**What should be considered when deciding what action to take**

In deciding what approach to take, the **[Governance Group]** 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 church’s objects and resources, and
* the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of, the church.

The approval of any action requires the agreement of at least a majority of the **[Governance Group]** (excluding any conflicted **[Governance Group]** 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 Conflict of Interests register.

**Compliance with this policy**

If the **[Governance Group]** 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 **[Governance Group]** may take action against them. This may include seeking to terminate their relationship with the church.

**[Insert any other relevant sanctions that are proportionate to the seriousness of a breach]**

If a person suspects that a **[Governance Group]** member has failed to disclose a conflict of interest, they must discuss with the person in question or notify the **[Governance Group]**, or the person responsible for maintaining the Conflicts of Interest Register.

**Document Control Information**

|  |  |
| --- | --- |
| **Conflict of Interest Policy** | |
| Owner |  |
| Master Copy |  |
| Date created |  |
| Date last reviewed |  |
| Approved by **[Management Team]** |  |
| Approved by **[Governance Group]** |  |
| Date next Review |  |

|  |  |  |  |
| --- | --- | --- | --- |
| Date | Version | Revision Description | Reviewed / Updated by |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

**Appendix A**

**Conflicts of Interest Register**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Name of person** | **What roles does the interest relate to? E.g. Governance Group Member, volunteer, contractor etc** | **Date of Standing Disclosure** | **Description of Interest** | **Actual, potential or perceived conflict?** | **Is the interest current?** | **Action taken/ strategies to address conflict** |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |