



## Conflict of interest policy

### 1. Purpose

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

### 2. Objective

ACSA aims to ensure that committee members are aware of their obligation 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 ACSA.

### 3. Scope

This policy applies to both those people nominating for a management committee position, and those who hold a management committee member position of ACSA.

### 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 the association.

- 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, operating a business in Clinical Supervision).
- It also includes a conflict between a management committee member's duty to ACSA and another duty that the management committee member has (for example, to another charity). A conflict of interest may be actual, potential, or perceived and may be financial or non-financial.

These above definitions present the risk that a person will make a decision based on, or affected by, these influences, rather than in the best interests of ACSA. Therefore, these situations must be managed accordingly.



## 5. Policy

This policy has been developed to address conflicts of interest affecting ACSA management committee.

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

It is the policy of ACSA as well as a responsibility 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 ACSA members.

ACSA 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, and
- follow this policy and respond to any breaches.

ACSA is responsible for:

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

ACSA must ensure that its committee members are aware of the Australian Charities and Not-for-profits Commission (ACNC) governance standards, particularly governance standard 5, <https://www.acnc.gov.au/for-charities/manage-your-charity/governance-hub/5-duties-responsible-people/duties-responsible-people> and that they disclose any actual or perceived material conflicts of interests as required by governance standard 5.

### 5.3 Confidentiality of disclosures

The President will have access to the information disclosed and bring the concerns to the committee in the first instance. The concerns will be disclosed in writing to the independent ethics subcommittee.

## 6. Action required to manage conflicts of interest

The management committee president asks who has a business in Clinical Supervision at each meeting, usually monthly and it is recorded in the minutes. Management committee



members are asked if they are any other conflict of interest to declare and this is noted in the minutes.

Any allegation of undeclared conflict of interest and the process of investigation will be documented in management committee meeting minutes.

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

Once the conflict of interest has been appropriately disclosed, the committee (excluding the committee member who has made the disclosure, will meet, and discuss at a management committee meeting within 3 days of the disclosure. The secretary will then contact members by email seeking interest from two members to form an independent ethics subcommittee. The management committee will consider and approach a non – member of ACSA to be part of the subcommittee. The 3 people will have subject matter experience, dependant on the nature of the allegation. The independent ethics subcommittee will create their TOR and report to the Management Committee their review and recommendations, within a reasonable time period. The management committee will review and consider the recommendations.

In exceptional circumstances, such as where a conflict is very significant or likely to prevent a committee member from participating in committee business, it may be appropriate for the person conflicted to step aside from committee duties until review is complete or resign.

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

In deciding what approach to take, the independent ethics subcommittee 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
- ACSA’s objects and resources, and
- the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of ACSA

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

If a management committee member suspects that another management committee member or a person nominating for a management committee position, has failed to disclose a conflict of interest, they must discuss with the person in question, and notify the President



who will convene a management committee meeting to arrange appointment of an independent ethics subcommittee.

If the independent ethics subcommittee 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 independent ethics subcommittee will advise the ACSA management committee.

If a serious breach has occurred an extraordinary member meeting will be held to inform members and vote on removing the management committee member from office.

### **Contacts**

For questions about this policy, contact the President by [president@clinicalsupervision.org.au](mailto:president@clinicalsupervision.org.au)