

 <b>MULTICULTURAL</b> COUNCIL of TASMANIA	<b>Conflict of Interest Policy</b>	<b>Policy ID</b>	MCOT-COI
		<b>Version Number</b>	1
		<b>Implementation Date</b>	20 June 2019
<b>Page Number</b>	1 of 4	<b>Last Reviewed/Update Date</b>	Approved 20 June 2019
<b>Policy Owner</b>	BOARD	<b>Approval</b>	Board
<b>Drafted by</b>	Ron Franks	<b>Next review date</b>	April 2021

## INTRODUCTION

The Multicultural Council of Tasmania board members, staff and volunteers aims to ensure that all board members, staff and volunteers 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 Multicultural Council of Tasmania.

## PURPOSE

The purpose of this policy is to help board members, staff and volunteers of Multicultural Council of Tasmania to effectively identify, disclose and manage any actual, potential or perceived conflicts of interest in order to protect the integrity of Multicultural Council of Tasmania and manage risk.

## SCOPE

This policy applies to the board members, staff and volunteers of Multicultural Council of Tasmania.

## DEFINITION OF CONFLICTS OF INTERESTS

A conflict of interest occurs when a person's personal material interests' conflict with their responsibility to act in the best interests of the organisation. Personal interests include direct material 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 or with a material financial or contractual interest). It also includes a conflict between a board member's or staff or a volunteer's duty to Multicultural Council of Tasmania and another duty that they have (for example, to another organisation). Examples of conflicts of interest include:

- When a Board member, or his/her immediate family or business interests, stands to gain financially from any business dealings, programmes or services provided to the Organisation.
- When a Board member offers a professional service to the Organisation.
- When a Board member stands to gain personally or professionally from any insider knowledge if that knowledge is used for personal or professional advantage.

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 organisation and must be managed accordingly.

## POLICY

This policy has been developed because conflicts of interest commonly arise, and do not need to present a problem to the organisation if they are openly and effectively managed. It is the policy of the Multicultural Council of Tasmania as well as a responsibility of the board, staff and volunteers,

 <p><b>MULTICULTURAL</b> COUNCIL of TASMANIA</p>	<b>Conflict of Interest Policy</b>	<b>Policy ID</b>	MCOT-COI
		<b>Version Number</b>	1
		<b>Implementation Date</b>	20 June 2019
<b>Page Number</b>	2 of 4	<b>Last Reviewed/Update Date</b>	Approved 20 June 2019
<b>Policy Owner</b>	BOARD	<b>Approval</b>	Board
<b>Drafted by</b>	Ron Franks	<b>Next review date</b>	April 2021

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 Multicultural Council of Tasmania.

Multicultural Council of Tasmania will manage conflicts of interest by requiring board members, staff and volunteers 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 board

The board and CEO are responsible for:

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

Multicultural Council of Tasmania seeks to follow the high standards set by the Australian Charities and Not for Profits Commission that apply to charities. As such, the organisation must ensure that its board members and CEO 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.

### Identification and disclosure of conflicts of interest

Once an actual, potential or perceived conflict of interest is identified, it must be entered into Multicultural Council of Tasmania's register of interests, as well as being raised with the board. Where a conflict is identified, governance standard 5 should be referred to by way of ensuring that proper disclosure occurs. The register of interests must be maintained by **the company secretary and the CEO**, and 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).

### Confidentiality of disclosures

Details regarding the information disclosed, will be limited to the CEO and board members.

 <p><b>MULTICULTURAL</b> COUNCIL of TASMANIA</p>	<b>Conflict of Interest Policy</b>	<b>Policy ID</b>	MCOT-COI
		<b>Version Number</b>	1
		<b>Implementation Date</b>	20 June 2019
<b>Page Number</b>	3 of 4	<b>Last Reviewed/Update Date</b>	Approved 20 June 2019
<b>Policy Owner</b>	BOARD	<b>Approval</b>	Board
<b>Drafted by</b>	Ron Franks	<b>Next review date</b>	April 2021

## Action required for management of conflicts of interest

### Conflicts of interest of board members

Once the conflict of interest has been appropriately disclosed, the board (excluding the board member disclosing and any other conflicted board member) must decide whether or not those conflicted board members 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.

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

- 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 organisation's objects and resources, and
- the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of, the organisation.

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.

### Compliance with this policy

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 seeking to terminate their relationship with the organisation.

If a person suspects that a board member has failed to disclose a conflict of interest, they must **discuss with the person in question, notify the board and the person responsible for maintaining the register of interests.**

 <p><b>MULTICULTURAL</b> COUNCIL of TASMANIA</p>	<b>Conflict of Interest Policy</b>	<b>Policy ID</b>	MCOT-COI
		<b>Version Number</b>	1
		<b>Implementation Date</b>	20 June 2019
<b>Page Number</b>	4 of 4	<b>Last Reviewed/Update Date</b>	Approved 20 June 2019
<b>Policy Owner</b>	BOARD	<b>Approval</b>	Board
<b>Drafted by</b>	Ron Franks	<b>Next review date</b>	April 2021

**Conflicts of interest of staff**

The CEO will ensure that staff and volunteers working under the direction of staff or the CEO are provided with a copy of this policy and that any declared conflicts of interest are noted on the organisation’s conflicts of interest register.

**Contacts**

For questions about this policy, contact the board chair or CEO.

**RELATED DOCUMENTS**

- Code of Conduct Policy MCOT-COC
- Delegations Policy MCOT-DEL

**AUTHORISATION**

Signed by CEO: .....Date: 20 June 2019

Signed by Chair: ..... Date: 20 June 2019