

MRLC

Conflict of Interest Policy

MOUNT ROLAND LAND CARE INC seeks to ensure that any actual, potential or perceived Conflicts of Interest are identified and managed effectively. In this we are committed to the standards embodied by the *Public Interest Disclosures Act 2002* (Tasmania).

A **CONFLICT OF INTEREST** exists whenever an individual stands to benefit privately from actions he or she may potentially influence, directly or indirectly, within the Group. It also exists whenever the Group may or may seem to benefit inappropriately from or be compromised by influences a member holds elsewhere. The risk is that there will be a loss of fairness and impartiality and that the Group will, or will be seen to, lose integrity.

A conflict of interest is **NOT ITSELF A CRIME** when disclosed and managed well. It is important to note, however, that even a conflict of interest that is only *perceived* can still damage trust of and within an organisation.

TYPES OF CONFLICT OF INTEREST:

- *Actual*, where real benefits are received or influence felt;
- *Potential*, where the chance for such benefits and influence can be identified; and
- *Perceived*, where regardless of the effectiveness of internal management, benefits and/or influence are likely to be perceived as being present by others.

Note that a “benefit” may take the form of a direct gain (such as payment), but may also appear indirectly as a favour to, for example, friends, family or associates.

MRLC believes it is essential to effectively manage conflicts of interest. Early identification, ideally self-identification, of actual, perceived or potential conflicts of interest is the best way to ensure good management and prevent accusations of, as well as actual, corruption.

IDENTIFY YOUR CONFLICTS. MRLC asks its members to actively consider actual, potential and perceived conflicts of interest.

- Spot your conflicts of interest early (*Appendix A* provides a checklist).
- Talk over your possible conflicts of interest with the MRLC President, Public Officer, or other members of the governing committee.
- Record your conflicts in relation to relevant areas of activity (see *Appendix B*).
- Plan with MRLC how you will manage this conflict (also see *Appendix B*).

MRLC encourages its members to be open about possible conflicts of interest and supports efforts to successfully navigate those conflicts. While it may sometimes be necessary to

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remove people from certain processes to sustain integrity, other solutions, if checked and openly agreed to, may become available.

If a conflict of interest relates to matters that are private or confidential, you are asked to nonetheless flag the areas to which this conflict relates and to assist in establishing a plan for managing that conflict. The need for privacy will be respected.

A COMMON PROBLEM: Areas where conflicts of interest can readily arise for MRLC include the engagement of contractors and the procurement of goods and other services. MRLC's policy is to not automatically engage the services of members in preference to non-members and to only engage members when it is agreed by sufficient committee members (or the executive if necessary) that it is fair and appropriate to do so. The members who stand to benefit must be excluded from the decision and reasonable effort needs to be made to explore the options available.

APPROACHES TO MANAGEMENT: Responses to conflicts of interest will often be made on a case by case basis. In all instances, any conflicted member should be absent from all decisions she or he stands to privately benefit from. As a general guide, the response adopted may fall into one of the following (non-exhaustive) categories:

- *No Action Required* – this may be appropriate where, for instance, it has been assessed that there is no actual conflict of interest, nor a reasonable likelihood of a conflict of interest eventuating, or the conflict relates to a very insignificant matter.
- *Implementation of a Management Plan* – such a plan, devised in consultation with the conflicted member, would minimise the potential impact of the conflict, transparently recording MRLC's response to it.
- *Isolation* – this approach would withdraw the conflicted member(s) from involvement in the relevant activities and decisions.
- *Independent Appointment* – a person independent of the Group could be engaged to undertake or supervise the decision-making process.

Any response settled on by the conflicted member and the executive and/or governing committee would always require review and adjustment over time.

NON-COMPLIANCE with MRLC's Conflict of Interest Policy, or coercion, encouragement or assistance towards such, may result in loss of membership and/or the involvement of the appropriate legal authorities.

CHANGES TO THIS POLICY: We reserve the right to make changes to this Conflicts of Interest Policy from time to time without notice. We encourage members to check our website periodically to ensure an awareness of current policy positions.

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Appendix A:

Checklist to help identify a Conflict of Interest.

This form is for your own personal use. If after completing the form you have answered YES to any questions, or you still have doubts as to whether or not you are facing an actual, potential or perceived conflict of interest, you should move on to Appendix B: *Describe Your Potential Conflict of Interest.*

ASK YOURSELF:	Y / N
Do I stand to gain any financial benefit from my proposed decision or action?	
Would a relative, friend or business associate stand to gain financially from my proposed decision or action?	
Do I have a current or previous personal, professional or financial relationship or association of any significance with an interested party?	
Would I or anyone associated with me benefit from or be detrimentally affected by my proposed decision or action?	
Would my reputation, or that of a relative, friend or associate stand to be enhanced or damaged because of my proposed decision or action?	
Have I received a perceivably related benefit or hospitality from someone who stands to gain or lose from my proposed decision or action?	

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Appendix B:

Describe Your Potential Conflict of Interest

This form is designed to be used by Mount Roland Land Care members and associates to disclose actual, potential or perceived conflicts of interest. It can be used to assist the development of a management plan for that conflict through consultation between yourself and appropriate MRLC members.

Your name:

Describe your involvement with MRLC
(eg, member, committee member, contractor, etc):

Potential Conflict of Interest (please supply details):

To be completed following consultation with MRLC:

Plan to Manage Conflict of Interest:

This plan for managing the conflict of interest described above has been established via consultation between myself and members of the MRLC governing committee. The signatures below verify my and MRLC's agreement regarding this plan.

Name:

Signature:

Today's date:

Name:

(MRLC President / Public Officer)

Signature:

To be reviewed on: