

<h2>Conflict of Interest Policy</h2>	Effective date	1 March 2019
	Next review date	1 March 2022
	Sponsor	CEO
	Board committee	Governance
<b>Level / Class</b>  <b>Corporate      Organisation</b>	Approval / authorisation	Board

### 1. REVISION HISTORY

Date	Revision Number	Change(s)	Reference Section(s)

### 2. PURPOSE

This policy states AVI's position on conflict of interest, including the requirement that conflicts of interest are avoided wherever possible, or:

- identified and declared; and
- actively managed.

Workers will encounter conflict of interest situations and AVI acknowledges that conflicts will not always be able to be avoided. They must however be identified and appropriately managed to ensure we earn and maintain the highest levels of integrity and trust in AVI and our Programs.

### 3. SCOPE / PERSONS AFFECTED

The Conflict of Interest Policy applies to all AVI workers (defined for the purposes of this policy as: workers, consultants, contractors, office volunteers, interns, the AVI Board, or anyone engaged to undertake work for the organisation). All of the aforementioned must comply with the provisions of this policy.

**Appropriate consultation (tick for 'yes', otherwise leave blank)**

### 4. PRINCIPLES

A conflict of interest arises from a conflict between the performance of official work duties and a private or personal interest.

A personal interest includes the private, professional or business interests of a person, or of the individuals or groups with whom they have a close association, such as relatives, friends or even acquaintances.

A conflict of interest may be actual, perceived or potential.

- **Actual:** an actual conflict of interest occurs when there is a conflict between a person's official duties and responsibilities in serving the public interest, and their personal interest.
- **Perceived:** a perceived conflict of interest occurs when a reasonable person, knowing the facts, would consider that a conflict of interest may exist, whether or not this is the case.
- **Potential:** a potential conflict of interest occurs where a person has a personal interest that could conflict with their official duties in the future.

## 5. POLICY

Conflicts of interest arise when an individual's other interests conflict, or could be seen to conflict with duties or obligations to AVI. A conflict of interest may affect or may appear to influence judgment and a worker's capacity to do their job independently. If undisclosed they may cause a worker to act unlawfully.

AVI workers are responsible for openly declaring any matters of private interest that may be in conflict with the performance of work duties. In order to avoid a conflict of interest scenario, either real or perceived, AVI workers must:

- Use inside information, resources, status, power or authority properly, and not in order to gain, or seek to gain, a benefit or advantage for themselves or others.
- Always be objective and impartial, and demonstrate this objectivity and impartiality in all matters and dealings.
- Refrain from undertaking any activities (including employment) outside working hours that might, in any way, compete either directly or indirectly with the activities of AVI or which restrict a worker's ability to fulfil the duties of their position at AVI.
- As soon as practicable, declare any situation which could reasonably constitute a conflict of interest.

### Conflict of Interest Management Process

Workers must **avoid** wherever possible or **identify, declare** and **manage** conflict of interest in accordance with this policy.

#### *Identify conflict of interest*

Workers should regularly consider the relationship between their private interests and public duties in order to identify any conflict of interest (for example, in recruitment, before major projects, tender decisions, legal proceedings or policy development).

Private relationships, including family relationships, business relationships and consensual personal relationships may also carry a high risk of conflict with official duties.

## ***Declaring a conflict of interest***

A conflict of interest must be declared. Workers should discuss any real, perceived or potential conflict of interest with:

- Their line manager;
- A member of the Human Resources team; or
- A member of the OLT Team

## ***Managing conflict of interest***

Following the identification and disclosure of a conflict of interest, one or more of the following mitigation strategies may be employed.

<b>Restrict:</b>	restrictions are placed on the worker's involvement in the matter.
<b>Recruit:</b>	an independent third party is used to oversee part or all of the process that deals with the matter. In most circumstances, a subordinate would not be considered a disinterested third party.
<b>Remove:</b>	the worker removes themselves, or is removed, from the matter.
<b>Relinquish:</b>	the worker relinquishes the private interest that is creating the conflict if this is possible.

## ***Breach of Policy***

Failure to disclose a conflict of interest is a breach of the AVI Code of Conduct. It may result in disciplinary action, including termination of employment if deemed to be an incident of misconduct, wrong doing or abuse of power.

## **6. DEFINITIONS**

### **Conflict of interest**

A conflict of interest is where a worker has private interests that could improperly influence, or be seen to influence, their decisions or actions in the performance of their official duties.

**Actual conflict of interest:** there is a real conflict between a worker's official duties and private interests.

**Potential conflict of interest:** a worker has private interests that could conflict with their official duties. This refers to circumstances where it is foreseeable that a conflict may arise in future and steps should be taken now to mitigate that future risk.

**Perceived conflict of interest:** the public or a third party could form the view that a worker's private interests could improperly influence their decisions or actions, now or in the future.

## **7. RESPONSIBILITIES**

**AVI workers** are responsible for avoiding wherever possible or identifying, declaring and managing any actual, potential or perceived conflict of interest that applies to them.

**AVI managers** must provide leadership in implementing and giving effect to this Policy. Facilitate compliance with this Policy. Participate in conflict of interest resolution with those they supervise and take appropriate action for breaches.

**CEO, Board and Subcommittee members** should retain awareness when conflicts of interests arise to ensure conflicts are disclosed and resolved with all pertinent details recorded in the meeting minutes.

## **8. RELATED POLICIES**

AVI Staff Code of Conduct

Whistleblower Policy

AVI Enterprise Agreement 2014