



## CONFLICT OF INTEREST POLICY

### Purpose

The purpose of this policy is to:

- > Outline the roles and responsibilities of all persons associated with Transparency International Australia (TIA) in relation to avoiding and managing conflict of interest;
- > Assist employees of TIA to identify situations in which a conflict of interest may arise;
- > Outline the consequences of a failure to avoid or disclose conflicts of interest.

### Scope

This policy applies to all TIA Board Members, employees, volunteers and interns.

This policy will also apply to the staff of affiliates, partner organisations, consultants and contractors where they do not have a conflict of interest policy that meets TIA standards.

### Definitions

#### Conflict of Interest

In line with the *Transparency International Anti-Corruption Glossary* and for the purpose of this policy, a conflict of interest is a situation where anybody covered by this policy is confronted with choosing between the duties and demands of their position and their own private interests.

Conflicts of interest may arise from time to time in the course of such persons' activities and decision-making. They may arise in their work for TIA with regard to pecuniary or financial interests, or interests that impede them in their duty to act in the best interests of TIA.

### Policy Statement

TIA's global efforts to raise the ethical standards of government officials, business people and other individuals could be compromised by any ethical lapses on the part of individuals representing TIA or engaged by TIA to deliver contractual and consultancy services. It is essential that everyone associated with TIA be highly attuned to potential conflicts of interest, whether they are real or perceived.

Each person covered by this policy must avoid or manage any potential, real or perceived conflict of interest and openly acknowledge any potential or actual conflict of interest, which arises through their association with TIA.

All Board Members are required to declare any potential, real or perceived conflict of interest at each Board meeting, and update the TIA Board Register of Interest (ROI) prior to each Board meeting. The ROI are made public on the TIA website.

## Process

### Outside Employment or Voluntary Activities

Employees (including management) of TIA may be employed by, or undertake paid work for, other organisations. Such work may be undertaken:

- > where the work is related to corruption, and only with the express permission of their supervisor;
- > in all other cases, only if the work is declared as early as practicable.

When doing non-TIA related work (including volunteer work), resource persons and Board Members must not utilise privileged TIA information, and shall also be sensitive to the perception that they might be utilising such information.

Where an employee has the opportunity to work or volunteer outside their commitment to TIA, they must consider the potential for conflict of interest prior to accepting additional engagements.

If an employee or Board Member is uncertain that a conflict of interest may arise, they should discuss the situation with their manager, or TIA Board Chair and in the case of the CEO, discuss with the TIA Board Chair who can assist in determining if a conflict exists.

### Personal and Familial Relationships

#### *Other organisations and partners*

In certain circumstances, where an employee's family, colleague or associate works for an organisation or partner with which TIA conducts business, it is important that such relationships are declared in advance. Business dealings made on TIA's behalf, with someone you know well in another organisation, could affect TIA's reputation and integrity. In these circumstances employees should discuss and document the relationship with their manager.

#### *Applicants*

If a hiring manager receives an application from a family member, friend or associate to work, volunteer or consult with TIA where they will report directly to the hiring manager, the relationship must be declared to the Manager of Finance and Administration or CEO prior to short-listing. A decision to proceed or not with the application will be based on the potential for conflict of interest.

If the decision is made to proceed to interview and the relationship sits with a panel member, then that panel member cannot be the final decision maker in this instance. A report is required with all panel members providing sign off of the appointment.

#### *Existing employees*

Where existing employees are or become involved in a personal relationship, they should discuss their circumstances with their manager. The purpose of this is to ensure that matters of management, supervision, audit and possible role conflict can be considered. The objective is to be reasonable, to safeguard TIA, and to maintain good employee relations.

### Purchasing

Employees involved in purchasing, tendering or commissioning must not have an undeclared

association with any outside organisation involved in the process. Where an association does exist, the employee will not be permitted to become involved in the commercial decision. Employees must not provide information or assistance to any organisation or individual tendering for work from TIA. Everyone tendering for work needs to receive fair and equal treatment.

## **Gifts and Entertainment**

No person associated with TIA shall accept any gift, entertainment, loan or anything else of value from any organisation or individual if it could be reasonably construed or perceived that the gift is motivated by a wish to influence TIA.

All gifts of a value of AUD\$50 or greater will be refused.

All gifts accepted must be logged in the TIA gift register.

## **Recruitment**

All candidates will be asked to disclose any potential conflicts of interest. If a candidate discloses a potential conflict of interest prior to commencement of their contract, the hiring manager should discuss this with the candidate. If measures cannot be put in place to avoid the conflict of interest, a decision may be made not to proceed or withdraw the offer of employment on the basis that it represents a significant risk to TIA.

## **Candidacy for Political Office**

TIA has a non-partisan approach to political engagement and maintains its independence in dealing with all political parties. Conflicts of interest may occur where individuals hold the dual role of being a spokesperson or candidate for a political party or office and as a representative of TIA. Employees running for public office are required to take leave once writs have been issued for the election. Where an employee is unsure if a conflict of interest will exist, they should first speak with their manager prior to taking on the spokesperson or candidacy role.

## **Disclosure**

Employees have the direct obligation and responsibility to declare their own, or any other perceived, potential or real conflict of interest to their manager immediately after it is identified. TIA relies on each employee's sound judgement in anticipating potential problems and proposing solutions that protects the interests of individuals and TIA.

Any employee who is involved with an organisation that is a recipient or potential recipient of TIA funds or assistance is required to declare such interest if they are in a position to influence decisions relating to TIA's support for the organisation. This may result in staff absenting themselves from discussions and decision-making processes related to TIA's support for the organisation concerned.

- > Managers should take all disclosures of conflict of interest seriously and refer to this policy and consult with the Finance and Administration Manager or the CEO as appropriate.
- > Employees must notify their manager in writing of any potential conflict of interest as soon as they become aware of it. Managers will treat each disclosure on its merit ensuring there is no intended or unintended discrimination and provide the employee with any decision in writing.
- > Any employee who has concerns about breaches of the principles outlined in this policy should raise them with their manager or via the measures outlined in the Whistleblower Protection Policy.
- > Any employee who feels they have been unfairly treated under the terms of this policy may raise a grievance in line with the Grievance Policy.

### ***Failure to disclose conflicts of interest***

A failure to avoid or disclose conflicts of interest is a matter of utmost seriousness. Disciplinary action

may be taken against an employee who has a conflict of interest that they have not disclosed. This may include immediate termination of employment for a matter that is considered serious misconduct in line with the Disciplinary Policy and terms of employment.

For volunteers and consultants, failure to avoid or disclose conflicts of interest may result in the immediate termination of their contract.

## Reporting

TIA representatives who believe that another TIA representative has not disclosed a conflict of interest, may raise their concerns via discussion with their supervisor or another trusted manager within TIA.

Refer to the Whistleblower Protection Policy for information about confidentiality and protection.

## Related Documents

This policy should be read in conjunction with:

- > TIA Code of Conduct
- > Whistleblower Protection Policy
- > Complaints Policy
- > Relevant terms and conditions of employment and other contracts

## Effective Date and Review

<b>Title</b>	Conflict of Interest Policy
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