



Conflict of Interest

Australian Education Union ACT Branch Policy

Policy Number	POL019	Version	3.0
Last Reviewed	11 December 2019	Next Review	11 December 2021

INTRODUCTION

The Union is committed to high standards of ethical conduct and accordingly places great importance on dealing in a transparent and ethical way with any actual or potential conflict of interest. Rules about disclosures are set out in Section 34 Management and Control of Branch Funds of the Federal Branch Rules in relation to the ACT Branch.

A conflict of interest occurs when a person has a personal interest which conflicts or could be perceived to conflict with their responsibility to act in the interests of the Union.

A material personal interest means that a person has an interest from which they could benefit. It includes any interest which could influence a person's decision making in the Union. 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. A conflict of interest may be actual, potential or perceived and may be financial or non-financial.

PURPOSE

The purpose of this policy is to provide a framework for Branch Executive members and Union employees with decision-making roles and responsibilities to effectively identify, disclose and manage any actual, potential or perceived conflicts of interest to protect the integrity of the Union and to manage risk.

POLICY

- This policy applies to all Union employees and Branch Executive members who have decision-making roles and responsibilities.
- Conflicts of interest do occur, and they do not need to present a problem as long as they are openly and effectively managed.
- The Union will manage conflicts of interest by requiring employees and Branch Executive members to:
 - avoid conflicts of interest where possible
 - identify and disclose any conflicts of interest
 - carefully manage any conflicts of interests, and
 - follow this policy and respond to any breaches.

Identification and disclosure of conflicts of interest

- Employees and Branch Executive members will complete a register of interests annually.
- The register of interests will be maintained by the Business Manager. Access to the information disclosed will be restricted to the Business Manager, Branch Secretary and Branch President and subject to the Union's Privacy policy.
- Prior to each Branch Executive meeting, the chair and Branch Secretary will review the register of interests and identify any potential conflicts of interest. At the start each Branch Executive



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meeting, the chair will ask for any conflicts of interest to be declared in addition to any that have been identified through the register.

- Any person who has or believes that they may have a conflict of interest must declare that interest at the start of the meeting or as soon as practicable after they become aware of the conflict.

Action required to manage conflicts of interest

- Once a conflict of interest has been disclosed, Branch Executive (excluding the member/s making the disclosure) must decide on the action to take. Branch Executive must determine whether the disclosing person shall be permitted to:
 - Participate in any debate and discussion and vote on the matter
 - Participate in any debate and discussion but not be permitted to vote on the matter
 - Leave the room and not participate in any debate, discussion or voting on the matter.
- The disclosure and Branch Executive's decision must be recorded in the minutes of the meeting.
- Branch Executive will decide whether the register of interests will need to be amended accordingly.

Compliance with this policy

- If Branch Executive has a reason to believe that a person subject to this policy has failed to comply with it, it will investigate the circumstances. The Branch President and Branch Secretary will be responsible for undertaking such an investigation, unless either or both of them are the subject of the investigation. Relevant provisions of the Member Dispute Resolution or Employee Dispute Resolution policies shall be followed.

RESPONSIBILITIES

It is the responsibility of the Branch President to ensure that Branch Executive members are aware of this policy. It is the responsibility of the Branch Secretary to ensure that employees with decision-making responsibilities are aware of this policy. The Branch President and Branch Secretary have joint responsibility for overseeing the register of interests.

RESOURCES

Operational activities related to this policy are to be delivered within budgeted office resources.