

CONFLICT OF INTEREST POLICY

*The Currajong School takes a zero-tolerance approach to child abuse and is fully committed to ensuring that its strategies, policies, procedures and practices meet all **Child Safe Standards as specified in Ministerial Order No. 1359 (2022)***

1. PURPOSE

The purpose of this policy is to assist Board members of The Currajong School to effectively identify, disclose and manage any actual, potential or perceived conflicts of interest in order to protect the integrity of the School and to manage risk.

2. OBJECTIVE

The Board of Directors of The Currajong School (called the 'Board' in this policy) aims to ensure that Board members are aware of their obligation to disclose any conflicts of interest that they may have, and to comply with this policy to ensure that they effectively manage those conflicts of interest as representatives of the School.

3. SCOPE

This policy applies to the Board members of The Currajong School.

4. DEFINITION OF CONFLICTS OF INTEREST

A conflict of interest occurs when a person's personal interests conflict with their responsibility to act in the best interests of the School.

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 (e.g. as a shareholder).

It also includes a conflict between a Board member's duty to The Currajong School and another duty that the Board member has (e.g. to another organisation). A conflict of interest may be actual, potential or perceived and may be financial or non-financial.

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 School and must therefore be managed accordingly.

5. POLICY

This policy has been developed to address conflicts of interest affecting the Board of The Currajong School.

Conflicts of interest are common, and they do not need to present a problem to the School providing they are openly and effectively managed.

It is the policy of The Currajong School as well as a responsibility of the Board, 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 of Board members to the School.

The Currajong School will manage conflicts of interest by requiring Board members 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

5.1 Responsibility of the Board:

The Board is responsible for:

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

The Currajong School must ensure that its board members are aware of the ACNC governance standards, and that they disclose any actual or perceived material conflicts of interests as required.

5.2 Identification and disclosure of conflicts of interest:

Once an actual, potential or perceived conflict of interest is identified, it must be entered into The Currajong School's register of interests, as well as being raised with the Board.

Where every other Board member shares a conflict, the Board should refer to ACNC Governance Standard 5 to ensure that proper disclosure occurs.

The register of interests must be maintained by the Company Secretary. The register must 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).

5.3 Confidentiality of disclosures

Access to the information disclosed may be restricted to certain Board members and/or those who fulfil specific roles. It may also be necessary to provide for an alternative disclosure mechanism if additional restrictions on disclosure are required.

6. ACTIONS REQUIRED TO MANAGE CONFLICTS OF INTEREST

6.1 Conflicts of interest of Board members

Once the conflict of interest has been appropriately disclosed, the Board (excluding the Board member who has made the disclosure, as well as 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

In exceptional circumstances, such as where a conflict is very significant or likely to prevent a Board member from regularly participating in discussions, it may be worth the Board considering if it is appropriate for the person conflicted to resign from the Board.

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

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.

7. 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 Board.

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

EVALUATION

This policy will be reviewed every three-years or more often if necessary due to changes in regulations or circumstances.

Approval date:	Approved by:	Next review:
October 2021	School Board	October 2024



The Currajong School acknowledges the traditional owners of this country throughout Australia and their continuing connection to land and community. We pay our respects to them and their cultures and to the Elders past, present and emerging.