



# CLV CONFLICT OF INTEREST POLICY

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## **Community Languages Victoria**

*Where language and culture come together*

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## **1. PURPOSE**

The purpose of this policy is to help Committee Members of CLV to effectively identify, disclose and manage any actual, potential, or perceived conflicts of interest in order to protect the integrity of CLV and manage risk.

## **2. OBJECTIVE**

The CLV Committee aims to ensure all members are aware of their obligation to disclose any conflicts of interest that they may have, and to comply with this policy to ensure they effectively manage those conflicts of interest as representatives of CLV.

## **3. SCOPE**

This policy applies to the Committee Members of CLV.

## **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 CLV.

- 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 (for example, as a shareholder in a supplier to CLV).
- It also includes a conflict between a committee member's duty to CLV and another duty that the Committee member has (for example, to another Directorship). 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 CLV.

Therefore, these situations must be managed accordingly.

## **5. POLICY**

This policy has been developed to address conflicts of interest affecting CLV. Conflicts of interest are common, and they do not need to present a problem to CLV as long as they are openly and effectively managed.

It is the policy of CLV, as well as a responsibility of the Committee Members, 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 to CLV.

CLV will manage conflicts of interest by requiring Committee 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 COMMITTEE MEMBERS**

The Committee is responsible for:

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

CLV must ensure that its Committee Members are aware of the ACNC governance standards, particularly governance Standard 5, and that they disclose any actual or perceived material conflicts of interests as required by governance Standard 5.

## **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 CLV's register of interests, as well as being raised with the Committee Members.

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

The register of interests must be maintained by the 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**

Only Committee Members and the Secretary will have access to information regarding disclosures. The disclosure of information should be discussed with the President on a case-by-case basis to determine if further restrictions within the Committee are required.

## **5.4 STANDING AGENDA ITEM**

The Committee meetings agenda will contain a standing agenda item at the start of each meeting for members to disclose any conflicts of interest.

## **6. ACTION REQUIRED TO MANAGE CONFLICTS OF INTEREST**

### **6.1 - CONFLICTS OF INTEREST OF COMMITTEE MEMBERS**

Once the conflict of interest has been appropriately disclosed, the Committee Members (excluding the Committee Member who has made the disclosure, as well as any other conflicted Committee Members) must decide whether or not those conflicted Committee 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 Committee Member from regularly participating in discussions, it may be worth the Committee considering if it is appropriate for the person conflicted to resign from the Committee Members.

### **6.1 - WHAT SHOULD BE CONSIDERED WHEN DECIDING WHAT ACTION TO TAKE**

In deciding what approach to take, the Committee Members 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 charity's objects and resources, and
- the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of, the charity.

The approval of any action requires the agreement of at least a majority of the Committee Members (excluding any conflicted Committee Members 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 Committee Members have 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 Committee Members may take action against them. This may include seeking to terminate their relationship with CLV.

If a person suspects that a Committee Member has failed to disclose a conflict of interest, they must show notify the person in question and the Committee Members immediately

# 8. CONTACT

For questions about this policy, contact the Executive Director on 0419 531 255.

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Drafted by	Stefan Romaniw	Approved by Committee on	29 November 2023
Responsible person	Fahry Abubaker	Scheduled review date	29 November 2024