



BLACKALL RANGE INDEPENDENT SCHOOL

Conflict of Interest Policy (Executive)

PURPOSE OF THE POLICY

The purpose of this policy is to clarify guidelines to protect against potential conflicts of interest by members of the School Executive, to observe legislation regarding conflict of interest, and to engage in school business activities in a fashion designed to avoid any conflict of interest or the appearance of impropriety.

Scope

The policy covers the types of activities which may constitute a conflict of interest, how a conflict of interest might be determined and the responsibilities of board members with regard to declaring conflicts of interest.

Responsibility

Executive Chairperson

Point of Contact

Executive Chairperson

DEFINITIONS/LEGISLATION

For the purposes of this policy, a conflict of interest is "Any situation where an Executive Member may be in a (or may potentially be in) a position of being involved in a decision or action where they may not be perceived to be able to put the interests of the school first and foremost".

Associations Incorporation Act 1981- requires that Directors [Executive members] must avoid actual or potential conflicts between their interests and those of the Association and not exploit business opportunities for themselves at the expense of the Association.

Education (Accreditation of Non-State Schools) Act 2001 – allows that in assessing the suitability of a governing body, the Accreditation Board may take into account:

- Whether the governing body has appropriate guiding principles and procedures for identifying, declaring and dealing with any conflict of interest.

POLICY

It is the policy of the Executive of Blackall Range Independent School that all Executive Members avoid any conflict of interest or the appearance of conflict of interest.

For this reason, the Board has determined to:

1. contract for goods and services in a manner that will avoid any conflict of interest or the appearance of conflict of interest;
2. avoid conflict of interest in relation to employment of staff; and
3. require full disclosure from Executive members in situations where they, their relatives, partners or friends, may benefit financially, or in any other material way, from a decision made by the Executive.

In particular, Executive members may not:

- apply the school's property either for their personal benefit or for the benefit of any other person without the authority of the full Executive;

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- benefit financially, or in any other material way from the outcome of a decision made by the Board;
- cause any relative, partner or friend, or any organisation in which they have equity or of which they are an employee or a board member, to benefit from their position on the Executive;
- make unauthorised use of confidential information belonging to the School;
- intentionally gain an advantage (directly or indirectly) for any person or causes detrimental to the School.

Limitation on Related Employees

The Executive may not employ any staff member related by blood or marriage, to a School Executive member except by a unanimous vote of the full Executive.

Conflicts Prior to Taking Office

An Executive member with personal financial interest in a sale, lease, or contract with the school, which was entered before the Executive member took office and presents an actual or potential conflict of interest, shall immediately notify the Executive of such interest. It shall thereafter be the responsibility of the Executive member to refrain from participating in any discussion or action relating to the sale, lease, or contract by the Executive.

Conflicts While in Office

If at any time an Executive member believes that he or she may appear to be unable to maintain professional objectivity on any issue, because of a personal situation, employment, or other reasons, the member must notify the Chairman of the Executive and must not vote on the matter or be present when the matter is being considered by the Executive.

Determination as to Whether a Conflict of Interest Exists

The determination as to whether a conflict of interest exists is to be made by the School Executive. Any School Executive member who has an actual or potential conflict shall notify the Executive Chair of such conflict immediately. The School Executive member shall thereafter cooperate with the School Executive as necessary for the School Executive to make its determination.

POLICY RELEASE DETAILS

Date of Policy

January 2009

Approved by

Chairman of the Executive

Review Date

Annually

RELATED POLICIES AND DOCUMENTS

Board Code of Conduct
Financial Policies in relation to contracts and tendering
HR Policies