



The Children's Book Council of Australia


Policy Name: Conflict of Interest Policy	Number: PL/003/01
Date of Issue: 7/5/2013 Amended 26/10/2015	Date of Effect: 7/5/2013 Amended version 28/10/2015
Summary of Policy: This policy contains: <ul style="list-style-type: none">• The Children's Book Council of Australia Framework for identifying and dealing with a Conflict of Interest• Conflict of Interest Declaration Form	
Persons Affected: <ul style="list-style-type: none">• Directors of the Board• Executive Officer and other Staff /Employees of the Board• CBCA State and Territory Branch Members seconded to the Board's Committees and Sub-Committees• CBCA Judges of the Book of the Year Awards	
Supersedes Policy Number: Policy dated 7/05/2013	
Relevant Forms: Form 2013/P01/001 Conflict of Interest Declaration Form	
Approved at Board Meeting of 22 October 2015: Teleconference 26/10/2015  28/10/2015 Chair of Board	



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1. POLICY INTENT

Identifying and dealing with Conflict of Interest is an integral part of establishing an ethical culture within the Children's Book Council of Australia.

The community has a right to expect that Board Directors, Board staff, persons appointed to be Judges of the Book of the Year Awards and Board committees and sub-committees, will perform their duties in a fair and impartial way and that the decisions that these individuals make are not affected by self-interest, private affiliations, or the likelihood of personal gain or loss.

The CBCA recognises that individuals hold a range of legitimate interests outside their CBCA activities and it is their responsibility to ensure that these interests do not create a conflict of interest or a perceived conflict of interest.

Two important points underlying this policy are:

- If an individual is unsure whether or not there is a conflict of interest, it is best to declare it.
- When considering whether or not a conflict of interest exists, it is to be considered from the viewpoint of an outsider (or another member of the CBCA) i.e. if it is likely that a reasonable outsider would consider that a conflict exists.

An individual must disclose any conflict of interest in a timely way and take any action as directed by the Board to deal with any conflict.

2. WHAT IS MEANT BY CONFLICT OF INTEREST

A conflict of interest arises when an individual in a position of authority on behalf of the CBCA exercises judgment or makes a decision or participates in a body (such as in employment or as a member of another Board or committee) and also/concurrently has personal, financial,



professional or other interests or obligations that might interfere with or influence the exercise of that judgment/decision/participation.

A conflict of interest can:

- (i) Be a direct or actual interest i.e. there is an obvious or demonstrable conflict of interest or perceived conflict of interest (an onlooker may reasonably assume there is a conflict)
- (ii) An indirect interest due to a close association i.e. an individual may be closely associated with another organisation or person or employed in a workplace where the interests of that organisation or employment interfere, bias or conflict with CBCA matters
- (iii) An indirect interest due to a financial interest i.e. a personal financial matter that has the potential to bias or conflict with Board decisions or may lead to financial gain or loss
- (iv) An indirect interest due to conflicting duties i.e. the exercise or participation in personal activities that requires a judgment that may conflict with CBCA matters or vice versa
- (v) An indirect interest because of receipt of an applicable gift i.e. accepting gifts of any kind from an associated party or a perceived associated party
- (vi) Other i.e. any other interest that does not fall into the categories above.

3. EXAMPLES OF CONFLICT OF INTEREST SITUATIONS

3.1 Financial Interests

Financial interests may cover such things as directorships, share holdings, real estate or trusts that have the potential to conflict with CBCA duties.

3.2 Personal and Other Interests

Personal and other interests may arise from social or cultural activities as well as from family, personal or other relationships.

3.3 Access to Information, Assessing Applications, Assessing Applications for Funding and/or Sponsorship, Entries and Submissions

An individual's position with the CBCA must not be used to gain access to information or to influence a decision-making process inappropriately (for example by speeding up that process or drawing attention to an application/Sponsorship/Entry/Submission)



3.4 Judges Appointments and Meetings

Judges of the Book of the Year Awards need to disclose before they take up their appointment that a conflict of interest may exist (*Refer to Awards Handbook*).

If a declaration is made the Board must consider the relevant circumstances including the seriousness of the conflict, the risk of a perception that a conflict exists, the likelihood that decisions may be influenced, and the ability to obtain alternative suitable representation.

The Board's response to a declaration may include to:

- require the affected individual to take all reasonable steps to remove the conflict
- require the affected individual to withdraw or stand down
- determine that the issue will not affect, or be reasonably perceived to affect, the functioning of the judging process.

4. CONFLICT OF INTEREST FORM

All declarations in relation to a conflict of interest are to be declared on the *Conflict of Interest Declaration Form*. (Form Number 2013/P01/001).

All Board Members, Directors of the Board, the Executive Officer and other Staff /Employees of the Board, CBCA State and Territory Branch Members seconded to the Board's Committees and Sub-Committees and CBCA Judges of the Book of the Year Award must complete a "Conflict of Interest Declaration Form" (Form No. 2013/P01/001) upon taking up appointment.

If a conflict of interest is disclosed then the Board members should excuse themselves from voting on a decision to be made.

5. CONFLICT OF INTEREST REGISTER

All conflict of interest declarations are to be properly registered and placed in a formal file. Responsibility for this lies with the Executive Officer.



6. CONFIDENTIALITY/ PRIVACY

Records relating to disclosures of conflict of interest will be kept confidential but accessible by the Board and those responsible for managing the conflict.

7. REVIEW OF POLICY

This policy will be subject to review every 12 – 24 months to ensure that it remains relevant to the CBCA.



Appendix A

A.1 Guide to Individuals to Determine If a Conflict of Interest Exists

These questions are provided to assist an individual to determine whether or not a conflict of interest exists:

What is the situation?

- Would I, or anyone associated with me benefit from or be detrimentally affected by my proposed decision or action?
- Could there be any benefit for me in the future that could cast doubt on my objectivity?
- Do I have a current or previous personal, professional or financial relationship or association of any significance with an interested party?
- Would my reputation or that of a relative, friend or associate stand to be enhanced or damaged because of the proposed decision or action?
- Do I or a relative, friend or associate of theirs stand to gain or lose financially in some covert or unexpected way?
- Do I hold any personal or professional views or biases that may lead others to reasonably conclude that I am not an appropriate person to deal with the matter?
- Have I contributed in a private capacity in any way to the matter the CBCA is dealing with?
- Have I made any promises or commitments in relation to the matter?
- Have I received a benefit or hospitality from someone who stands to gain or lose from my proposed decision or action?
- Am I a member of an association, club or professional organisation or do I have particular ties and affiliations with organisations or individuals who stand to gain or lose by my proposed decision or action?
- Could this situation have an influence on any future employment or volunteer opportunities outside my current official CBCA duties?
- Could there be any other benefits or factors that could cast doubts on my objectivity?
- Do I still have any doubts about my proposed decision or action?

What perceptions could others have?

- What assessment would a fair-minded member of the public make of the circumstances?
- Could my involvement in this matter cast doubt on my integrity or on the CBCA's integrity?
- If I saw someone else doing this, would I suspect that they might have a conflict of interest?



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- If I did participate in this action or decision, would I be happy if my colleagues and the public became aware of my involvement and any association or connection?
 - How would I feel if my actions were highlighted in the media?
 - Is the matter or issue one of great public interest or controversy where my proposed decision or action could attract greater scrutiny by others?