

# Council Members' Conflict of Interest Policy

Controlled Document

The Activ Council places importance on making clear any existing or potential conflicts of interest. Council members must not put themselves in a position where there is a conflict between their duties and responsibilities to the Organisation and their personal interests.

Activ Foundation (Inc.) is a body incorporated under the provisions of the *Associations Incorporation Act 2015 (WA)* ["the Act"]. The Board of Directors is, in terms of section 38 of the Act, the 'committee' with the power to manage the affairs of the organisation. Recognising the governance role of the Council, and the need for consistency of practice, the Council has adopted the following protocol.

## Protocol

1. A Council Member must promptly declare any conflict of interest at the start of the Council meeting. The nature of this conflict of interest should be recorded in the meeting minutes.
2. A Council Member must promptly bring to the notice of the Council if they are aware of any conflict of interest or potential conflict of interest of another Council member.
3. Where a conflict of interest or potential conflict of interest is identified the Council member concerned may be asked to leave the room as soon as that item comes up for discussion. The concerned Council member shall not vote on that issue, nor initiate or take part in any Council discussion on that topic, unless the Chairman of the Council deems it appropriate.
4. Where a conflict of interest is identified the Council Member may receive the minutes of the outcome of that item but not the details of the deliberations relating to the issue, unless the Chairman of the Council deems it appropriate.
5. When the Chairman is aware of conflict of interest or potential conflict of interest the Chairman must take the necessary steps to ensure that the conflict is managed in an appropriate way in accordance with this policy.

## Examples of Conflict of Interest

1. When a Council member or immediate family or business interests stands to gain from any business dealings.
2. When a Council member offers a professional service to the organisation.
3. When a Council member stands to gain professionally or personally from any insider knowledge if that knowledge is used to personal advantage.
4. When a Council member has a role on the governing body of another organisation, where the activities of that body may be in direct conflict or competition with the activities of Activ.