



AVA Conflict of Interest Policy – Committees & Working Groups

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1. Purpose

The purpose of this policy is to help staff and volunteers of The Australian Veterinary Association Ltd (AVA) to effectively identify, disclose and manage any actual, potential or perceived conflicts of interest in order to protect the integrity of the AVA and manage risk.

2. Objective

Conflicts of interest arise in everyday life. When a person or organisation has multiple, competing interests there is a possibility that independent decision-making can be impaired. Volunteer involving organisations are usually balancing a significant number of interests and are trusted to manage these ethically and transparently.

The Association relies on the integrity of each volunteer and staff member to identify and disclose any issues which could, or could reasonably be expected to, give rise to an actual or potential conflict of interest (COI). Importantly, a COI policy should emphasise the importance of creating a culture of disclosure. If in doubt about whether something could be a COI, it is always best to err on the side of caution and to disclose it.

The AVA aims to ensure that staff and volunteers are aware of their obligation to disclose any COI that they may have, and to comply with this policy to ensure they effectively manage those conflicts as representatives of the AVA on committees and working groups.

3. Scope

This policy applies to staff and volunteers representing the AVA on committees and working groups. A separate policy has been developed for Directors of the AVA which incorporates their obligations under the Corporations Act 2001.

4. Definition of conflicts of interest

A conflict of interest (COI) arises when a personal interest conflicts with a responsibility to act in the best interests of an organisation. Conflicts of interest can happen at every level of an organisation.

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).

A COI may be actual, potential or perceived and may be financial or non-financial;

- Actual – a conflicting interest is influencing decision-making.
- Potential – a conflicting interest may influence decision-making.
- Perceived – there may be an appearance that a conflicting interest is influencing decision-making.

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 AVA. For that reason, the other members of the committee or working group and not the member in question are in the best position to assess the existence or otherwise of an actual, potential or perceived COI.

It's also important to explore whether there any personal non-financial interests that may be advanced by participating in an activity, now or in the future.

Do I have a conflict of interest?

If you think you might have a conflict of interest, ask yourself these questions:

- Would someone from outside the Association or outside my family think I have a conflict of interest?
- What would I think if I heard of someone else doing this? Would I think there was a conflict of interest?
- How would I feel if my actions were printed on the front page of a newspaper?
- Who might be disadvantaged and who might benefit from my actions?
- Do I need to get an independent opinion about these issues?

If you suspect a COI based on this self-assessment process, the situation(s) must be managed accordingly.

5. Policy

This policy has been developed to address COI affecting the AVA.

COI are common, and they do not need to present a problem to the AVA as long as they are openly and effectively managed.

It is the policy of the AVA, as well as a responsibility of the Board, that ethical, legal, financial or other COI be avoided and that any such conflicts (where they do arise) do not interfere with the obligations to the AVA.

AVA will manage COI by requiring staff and volunteers to:

- Avoid COI where possible;
- Identify and disclose any COI as soon as they arise;
- Carefully manage any COI, 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 COI across the AVA; and
- Monitoring compliance with this policy.

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 a register of interests.

The register of interests must be completed by the Chair of the committee or working group. 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).

If the Chair of the relevant committee / working group are uncertain on the steps to identify or manage a particular COI, a decision may be sought from the CEO who has the authority to make a decision or escalate to the Board as necessary.

Similarly, if a committee / working group member is unhappy with how a particular disclosure has been dealt with, they may raise the issue with the CEO.

5.3. Confidentiality of disclosures

The register is to be filed appropriately on the relevant committee / working group Microsoft Teams site. Access to the AVA register of interests will be limited to the relevant committee / working group, Board, and the Executive Leadership Team.

6. Action required to manage conflicts of interest

Potential members of committees / working groups must declare their interests before joining the committee or working group. Minor or perceived COI may be managed by the relevant member withdrawing from decisions / discussions directly related to their conflict. More materials COI may mean the proposed member cannot join or must withdraw permanently from the committee / working group should such a conflict arise subsequently.

Once the actual, potential or perceived COI has been appropriately disclosed, the committee / working group members (excluding the member/s who has made the disclosure) must decide on the appropriate course of action.

What should be considered when deciding what action to take

In deciding what approach to take, the following should be considered:

- 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; and
- the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of, the AVA, the committee / working group.

The approval of any action requires the agreement of a majority of the committee / working group (excluding any conflicted member/s).

7. Examples of conflicts of interest in a NFP organisation

Interests may be personal, commercial, political, academic or financial. Individuals must declare their interests including employment, share ownership, consulting, board appointments, advisory appointments in:

- The veterinary profession including clinical, research and regulatory
- Veterinary industry including manufacturing, wholesaling, retailing, and agency
- Animal industries including racing, production, animal welfare and research
- Government and regulatory
- Being a member of an advocacy organisation relevant to the issue (other than the AVA)

- Being an active advocate for a relevant animal or veterinary welfare reform organisation, if relevant to the issue
- Having undertaken or currently undertaking research funded by a relevant animal industry or commercial company.

Examples of likely conflict of interests in a not-for-profit company include:

- A relative or close associate of a staff member or volunteer responds to a call for tender and in consideration of the tender, the relevant member fails to reveal the relationship with the tenderer.
- Sharing confidential or privileged information with another organisation, say in the case of sitting on working groups or committees in other organisations.
- Accepting gifts of more than nominal status (\$50) from staff of another company, from which the committee or working group is currently contracting with or in the future may order products or services.
- Allowing personal relationships to influence decisions that are in the best interest of the Association.
- Collaboration with other agencies or organisations can be an issue if the committee or working group member is on the Board of that agency/organisation or is in senior staff position.