



Kangaroo Valley Arts Festival Inc (KVAF) Conflict of interest policy

1. Purpose

The purpose of this policy is to help Committee members of **KVAF** to identify, disclose and manage any actual, potential or perceived conflicts of interest in order to protect the integrity of **KVAF** and manage risk. Effective management of conflicts is necessary if KVAF is to retain its charity status.

2. Objective

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

3. Scope

This policy applies to the Committee members of KVAF, to the Manager and any other persons discharging functions for KVAF where a conflict might arise. This includes members of sub committees for Music events, Sculpture and Visual Arts, and curators and judges entrusted with selection of art works or prize winners.

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 the charity.

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).

It also includes a conflict between a Committee member's duty to **KVAF** and another duty that the member has (for example, to another charity or group). 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 either make a decision affected by these influences, rather than in the best interests of the charity, or that a decision will be perceived as affected by these influences.

5. Policy

This policy has been developed to address conflicts of interest affecting **KVAF**.

Conflicts of interest are common, and do not present a problem to the charity if they are openly and effectively managed.

It is the policy of **KVAF** that ethical, legal, financial or other conflicts of interest be avoided wherever possible, and that any such conflicts are disclosed and managed so as not to conflict with the interests of **KVAF**.

KVAF requires 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

The Committee is responsible for:

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



- Ensuring members are aware of the ACNC governance standards, particularly governance standard 5, and that they disclose any actual or perceived material conflicts of interests.

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 KVAF's register of interests, as well as being raised with the Committee.

The register of interests must be maintained by **the Secretary**. The register will 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

As a rule all disclosures will be available to all Committee members. If there is a reason to restrict the flow of information about the conflict this must be discussed and agreed with any two of the President, Vice President, Treasurer or Secretary and must be recorded by the Secretary.

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 (excluding the member who has made the disclosure, as well as any other conflicted Committee member) must decide whether or not those conflicted members should:

- vote on the matter,
- participate in any debate, or
- be present in the room during the debate and the voting.

Where a conflict is very significant or likely to prevent a Committee member from regularly participating in discussions, it may be worth considering if it is appropriate for the person conflicted to resign from the Committee.

6.2. What should be considered when deciding what action to take

In deciding what approach to take, the Committee will consider:

- whether the conflict can 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
- KVAF objects and resources, and
- the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of KVAF.

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

If a person suspects that a member has failed to disclose a conflict of interest, they must notify the President and the matter must be raised at the next Committee meeting.

Contacts

For questions about this policy, contact the Secretary of KVAF.