

CONFLICT OF INTEREST GOVERNANCE POLICY

1. Purpose

Those involved in the BGA's governance, management and operations have a duty at all times to act honestly and diligently in the best interests of the BGA and in accordance with the Constitution.

The BGA's governance is best served by involving people with appropriate skills. This may include people who are actively employed in its schools or their systems, and people providing professional services to those schools or systems, and people who may have had these positions in the past.

Such people shall not make improper use of their BGA position or information acquired by virtue of their BGA position so as to gain directly or indirectly an advantage for themselves or any other person or school, or so as to cause a detriment to the BGA.

The objectives of this policy are to anticipate and handle appropriately any conflict of interest by ensuring that:

- 1.1 The circumstances in which a conflict of interest may arise are limited as far as practicable.
- 1.2 Any actual, potential or perceived conflict of interest is declared at the earliest opportunity.
- 1.3 Any conflict is managed fairly and in the best interests of the BGA.

2. Scope

This Policy applies to members of the Committee, the Committee's sub-committees and advisory groups, and staff who service the BGA (collectively referred to below as Members).

3. Policy

3.1 Conflicts of interest arise when the interests of Members (or those of their families, friends or other organisations with which they are involved) are incompatible or in competition with the interests of the BGA. They may consist of a direct or indirect financial conflict, personal conflict or a conflict of loyalties. They may be actual, perceived or potential. Conflicts need to be carefully managed as the mere perception of a conflict can be damaging to both the member and the BGA.

3.2 Some examples of where conflicts of interest may arise include:

- 3.2.1 A Member is the Business Manager of a school applying for a Grant.
- 3.2.2 A Member is on a School Visit Panel to a competitor school.
- 3.2.3 A Member is the architect for an Applicant School.
- 3.2.4 The Executive Officer is related to the owner of the company tendering for an Approved Project.

- 3.3 Conflicts of interest can:
 - 3.3.1 Inhibit free discussion and proper debate.
 - 3.3.2 Result in decisions or actions that do not meet some capital grant program's guidelines and that may be challenged.
 - 3.3.3 Give rise to the impression that the BGA has acted improperly.
- 3.4 It is recognised that conflicts of interest arise naturally and regularly. Almost all Members will come across an actual, potential or perceived conflict of interest during their term of office whether it arise from a provision of goods or services or from competing loyalties.
- 3.5 Disclosure of interests:
 - 3.5.1 Members have a responsibility to declare any conflict of interest on appointment and subsequently any specific conflict as and when it arises.
 - 3.5.2 On appointment, Members shall receive:
 - 3.5.2.1 a copy of this Policy
 - 3.5.2.2 as part of the induction process, advice with respect to the disclosure and management of conflicts of interest
 - 3.5.2.3 *Conflict of Interest Disclosure Statement* for completion as required.
 - 3.5.3 As soon as practicable after a conflict of interest is identified, the member shall advise the Executive Officer, to the best of their knowledge their actual, potential or perceived conflicts of interest.
 - 3.5.4 The Executive Officer is responsible for amending the Conflicts of Interest Register with updates as advised and tabling the Register at each Committee meeting.
 - 3.5.5 The information provided in *Conflict of Interest Disclosure Statement* will be processed in accordance with the BGA's Privacy Policy and used only for the purposes of this Policy.
 - 3.5.6 Members must not be involved in any discussion or decisions where they have a conflict of interest. They should declare their interest at the earliest opportunity and withdraw from any subsequent discussion.
 - 3.5.7 Any Member who is uncertain with respect to their interests should consult the BGA Chair for confidential guidance.
- 3.6 Meeting Procedures:
 - 3.6.1 At each meeting of the Committee, the Committee's sub-committees and advisory groups, the Agenda shall include an item calling for declarations of conflict of interest from members. If a member fails to declare an interest that is known to the Chair or the Executive Officer or another member, then the Chair or Executive Officer or other member should declare that interest.
 - 3.6.2 Members must absent themselves from the meeting when a matter in which they have an interest is being discussed.

- 3.6.3 Notwithstanding the provisions of this Policy, at a meeting where a declaration of a conflict of interest is known or made the Chair of the meeting may determine that the conflict is not material. For example, where the potential benefit arising from a decision is universally available to all BGA member schools or the benefit is minimal, the meeting may decide the member need not be precluded from taking part in any discussion or decisions on the matter and/or absent them self from the meeting but would be precluded from voting on the matter.
- 3.6.4 Any declaration of a conflict of interest, all decisions under a conflict of interest and the time of any absence from the meeting by a member, must be detailed in the minutes of that meeting.
- 3.6.5 Declarations of a conflict of interest made at the Committee's sub-committees and advisory groups meetings shall be reported to the next meeting of the Committee.
- 3.7 Where a conflict of interest cannot be resolved by the Committee, the Committee may seek the assistance of an independent facilitator or mediator.
- 3.8 Any Member of the Committee, the Committee's sub-committees and advisory groups who is determined by the Committee to be in breach of this policy shall be asked to resign.

4. **Related Polices/Documents**

- [Conflict of Interest Disclosure Statement](#)

Adopted February 2018

Updated August 2022

To be Reviewed August 2024