




## The Children's Book Council of Australia

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



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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)



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### **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.



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## **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.



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## 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?