

Conflict of Interest Policy

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Date of Last Revision:	13/02/2023
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Administrator Responsible:	Company Secretary
Next Review Date:	02/2025
Applies To:	All staff and board members

1. Preamble

1.1. The purpose of this policy is to help Destiny Rescue International Inc.(DRI) to effectively identify, disclose and manage any actual, potential or perceived conflicts of interest in order to protect the integrity of DRI and meet our legal obligations.

2. Purpose

2.1. The DRI Board, including any committee of management or other governance structure, aims to ensure that the Board and employees are aware of their obligations to disclose any conflicts of interest that they may have and to comply with this policy to ensure they effectively manage those conflicts of interest as representatives of DRI.

3. Scope

3.1. This policy applies to the DRI Board and employees.

4. Policy Statement

4.1. DRI defines a conflict of interest as a situation in which a personal interest interferes with a person's responsibility to act in the best interest of DRI. 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 Board

member's duty to DRI and another duty that the Board member has (for example, to another charity). A conflict of interest may be actual, potential or perceived and may be financial or non-financial.

- 4.1.1. **Actual Conflict of Interest:** A direct conflict with your DRI responsibilities, stemming from a personal or third party interest or obligation that affects your ability to make impartial decisions.
- 4.1.2. **Potential Conflict of Interest:** A conflict with your DRI responsibilities, stemming from a personal or third party interest or obligation, that could, in the future affect your ability to make impartial decisions.
- 4.1.3. **Perceived Conflict of Interest:** A conflict where it could reasonably be perceived or give the appearance that a personal, third-party interest or obligation would affect your ability to make impartial decisions while carrying out DRI responsibilities.
- 4.2. 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 charity and must be managed accordingly.
- 4.3. The Board and employees are expected and required to disclose any and all perceived, potential, and actual conflicts of interest that could affect their ability to operate impartially on behalf of DRI, this includes the requirement to disclose conflicts of interest that have already occurred.
- 4.4. It is the policy of DRI as well as a responsibility of the Board & Senior Leadership Team, that ethical, legal, financial or other conflicts of interest be avoided and that any such conflicts (where they do arise) do not interfere with the work of DRI.
- 4.5. DRI will manage conflicts of interest by requiring all employees and Board members to:
 - 4.5.1. avoid conflicts of interest where possible
 - 4.5.2. identify and disclose any conflicts of interest
 - 4.5.3. carefully manage any conflicts of interest, and
 - 4.5.4. follow this policy and respond to any breaches
- 4.6. The Board, CEO, and Company Secretary are responsible for:
 - 4.6.1. establishing a system for identifying, disclosing and managing conflicts of interest across the charity
 - 4.6.2. monitoring compliance with this policy

- 4.6.3. reviewing this policy on an annual basis to ensure that the policy is operating effectively.
- 4.6.4. maintaining the Register of Interests
- 4.7. The charity must ensure that its Board members are aware of the ACNC governance standards, particularly [governance standard 5](#), and that they disclose any actual or perceived material conflicts of interests.
- 4.8. Once an actual, potential or perceived conflict of interest is identified, it must be entered into DRI's Register of Interests, as well as being raised with the Board if deemed necessary. Where more than one of the Board members share a conflict, the Board should refer to governance standard 5 to ensure that proper disclosure occurs. The Board Secretary 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 in the Register of Interests.
- 4.9. Disclosures are to be treated as strictly confidential. Access to the Register is restricted to the DRI Board Members and CEO.
- 4.10. Where a conflict of interest has been appropriately disclosed by a Board member, the Board (excluding the Board member disclosing and any other conflicted Board member) must decide whether or not the conflicted Board members should:
 - 4.10.1. vote on the matter (this is a minimum),
 - 4.10.2. participate in any debate
 - 4.10.3. be present in the room during the debate and the voting
- 4.11. In exceptional circumstances, such as where a conflict is very significant or likely to prevent a Board member from regularly participating in discussions, it may be worth the Board considering whether it is appropriate for the person conflicted to resign from the Board.
- 4.12. Where an employee is involved in a conflict of interest, the CEO should meet with them to discuss the situation. In some cases, the Board may ask the involved person to attend the next scheduled Board meeting to address the conflict.
- 4.13. In deciding what approach to take, the Board, CEO will consider:
 - 4.13.1. If the conflict needs to be avoided or simply documented
 - 4.13.2. If the conflict will realistically impair the disclosing person's capacity to impartially participate in decision-making
 - 4.13.3. any alternative options to avoid the conflict

- 4.13.4. the charity's objects and resources, and
- 4.13.5. the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of, the charity.
- 4.14. Where the board is involved, the approval of any action requires the agreement of at least a majority of the Board (excluding any conflicted Board 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.
- 4.15. 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.
- 4.16. If it is found that this person has failed to disclose a conflict of interest, DRI may take action against them. This may include seeking to terminate their relationship with the charity.
- 4.17. If a person suspects that a Board member or employee has failed to disclose a conflict of interest, they must discuss the issue with the person in question, notifying the Board, or the person responsible for maintaining the register of interests.
- 4.18. All conflicts of interest, whether at an employee or Board level, are expected to be registered. It is at the sole discretion of the CEO as to whether the conflict needs to be escalated to the next scheduled Board meeting.
- 4.19. DRI is also committed to the fair and open procurement of goods and services. Please see the Procurement policy for more information.

5. Policy Review

- 5.1. This document may be changed from time to time in line with current best practice and other requirements, and to ensure that business needs are met. You will be consulted and advised of any changes as far in advance as possible of the change being made.
- 5.2. At minimum, this policy will be reviewed annually.

6. Further Assistance

- 6.1. For further assistance or clarification on this policy, please contact HR.

Version:	Author:	Revision Date:	Description of Change:	Approved by:
1.0	Brent Kirwan	16/01/19	Approval	Michelle Winser

2.0	Brent Dykes-Kirwan	29/07/2021	Annual Review	Paul Mergard
3.0	Various	23/06/22	Policy Update	Tony Kirwan
4.0		13/02/2023	Approval	Tony Kirwan