Policy Name	Conflict of Interest Policy
Related Policies and Legislation	
Policy Category	Planning & Management
Relevant Audience	All Treetops Community
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Conflict of Interest Policy

Policy 1: Conflicts of Interest of Board Members
Policy 2: Conflicts of Interest of Staff Members who are also parents of students in the school

Policy 1: Conflicts of Interest of Board Members

Objective:
To ensure Board members act in the interest of the School, not bringing personal or financial interests to the Board table; to provide a mechanism that allows for interest to be declared so as to maintain appropriate accountability.

General Principles
Conflict of interest is defined as a circumstance where the duties and responsibilities of a Board member towards the School overlap with their private interests. This results in a situation where the Board member may be tempted to make decisions for reasons other than the best interests of the School. There are three specific types of conflict of interest:

- **Actual conflict** – a real conflict exists between the member's private interests and the interests of the School.

- **Potential conflict**– a member's private interests do not currently conflict with those of the School, but could potentially conflict in the future.
- **Perceived conflict**– a third party could reasonably believe a conflict exists.

For the remainder of this policy document these three categories of conflict will all be considered equivalent. No special treatment will be accorded one type of conflict above another.

Private interests can be divided into two categories:
- **Pecuniary interests** exist where there is financial gain or loss involved, even if money does not specifically change hands. This would include an ongoing financial relationship such as being a paid employee of the School or leasing property to the School.
- **Non-pecuniary interests** exist when no financial component exists but an interest exists due to relationships, social or cultural ties or involvement in an outside organisation.

When a conflict is identified, there are a number of actions that can be taken to address the conflict depending on the severity of the conflict. These are:
- Register – The Board member officially informs the wider Board of the existence of a conflict in a Board meeting.
- Restrict – The Board member is restricted in their participation in the discussion or decision making process pertaining to a particular subject where a conflict exists.
- Recruit – A disinterested third party is appointed to oversee part or all of a process where a conflict exists (this method is usually employed where multiple Board members are conflicted on a matter).
- Remove – The Board member does not participate in any way in a matter where a conflict exists. This would include excusing themself from a meeting where the matter is under discussion.
- Relinquish –The private interest creating the conflict is relinquished by the Board member, thus eliminating the conflict.
- Resign – The Board member resigns from the Board.

Specific Guidelines
The overriding responsibility of Board members is to put the interests of the School above all other interests. Board members will exercise this responsibility by putting aside, in Board deliberations and decisions, any other interest they may hold, whether it be as a member of another organization or as an individual.

Where Board members are members of a group served by the School they will not act in any way to advance their individual interest. As previously stated, the Board's responsibility is to act in a way which serves the general interests of those served by the School, including the parents and students who represent the 'moral ownership' or the community served by the School. If the interests of an individual are advanced only as part of a general group (for example the group of parents at the School), no personal conflict exists provided the Board member satisfies themselves that their decision was made to serve the interest of others.

Example: A Board member is the parent of a child in Wattle. In discussing the budget the Board must decide whether the School moves to merge two classes into one, and the Principal explains this is due to reduced student numbers and will enable a cost saving to the school. The parent Board member must make a decision based on the general needs of the School and all children, rather than whether their individual child is likely to benefit from the decision or not. Note that proper policy governance helps resolve these potential conflicts as the Board is making only policy-level

decisions. The execution of the policies is entirely up to the Principal. This makes it easier for Board members to separate their Board-member-policy-governance role from their parent-educator-and-advocate-for-their-child role, which is exercised in relationship with that child's teacher or the Principal separately, and outside of any Board context.

Where Board members have a pecuniary interest in a matter they will declare their interest and remove themselves from the matter in question.

Example: A Board member's building company is tendering for work at the School. The Board member would not take part in discussions or decisions about awarding the contract.

This principle (above) does not apply when the member is affected as part of a general class of persons, as in parents affected by the setting of School fees.

If a Board member identifies, or is alerted to, a conflict of interest for themselves, or another Board member, they are obligated to register the conflict with the wider Board at a Board meeting and have the conflict recorded in the minutes of the meeting.

If a Board member registers a non-pecuniary interest the Board may then decide, by vote, whether the member should remove themselves from the matter, restrict themselves in some way or take no action at all, depending on the severity of the conflict.

Example: A Board member is president of a club which seeks to use the School oval. The Board discussion is, at a policy level, whether outside use of the oval is consistent with Board policy. The Board member would normally declare an interest but still take part in the general policy discussion the use of oval by groups in general. Note that implementing any such policy would, in any case, be delegated to the staff through the Principal, so the Board member concerned is making no direct decision about their own interest.

If a Board member has a clear ongoing pecuniary interest (as opposed to a short term interest in a specific matter) they must seek to resolve the resulting conflict at the earliest appropriate opportunity. In this context resolving the conflict must involve relinquishing the interest or resigning their position on the Board.
If any interest exists for a close family member of a Board member (such as a child or spouse) then that interest shall be considered to also apply to the Board member themselves. In this case the Board member should respond as if the conflict was their own.

Policy 2: Conflicts of Interest of Staff Members who are also parents of students in the school

Objectives:
That staff members do not place themselves, or find themselves, in a position of conflict over their own child as a student of the school.

Likely areas of conflict:
- Other staff members giving a teacher more information about their child because they see the staff member more often.
- Other staff members giving a teacher less information about their child because they may believe that they already have this information since they are in the school.
- Staff members giving privileges, e.g. privileges of access, to their child that other students would not normally have.
- Staff members being called to resolve situations with their child that would normally be resolved by other members of staff.
- Any policy, including discipline, grievance and code of conduct not being enacted for a staff member as a parent, or for their child as a student.

Specific guidelines:
- All staff should maintain their standards of professionalism with regard to all students and other staff members at all times.
- Staff members with students in school should take time to discuss the potential conflicts with their child.