

Australian Biathlon Association

Managing Conflict of Interest Policy and Procedures 2019-2020

Purpose

It is recognised that Australian Biathlon Association Inc. (ABA) is a small volunteer organisation with a large percentage of active members being children and their relatives. In this situation, it is inevitable that conflicts of interest will arise. Common sense should guide decision-making in most day to day operations.

The aim of this policy is to give guidance where significant decisions may need to be made regarding the allocation of limited financial and/or other resources within, or on behalf of, the organisation, along with the management of intimate relationships.

This document guides how conflicts of interest may be brought to the attention of the organisation and how the conflict may be managed.

Background

ABA Board members, staff, volunteers, coaches, staff and service providers will strive to avoid any conflict of interest between the interests of ABA on the one hand, and personal, professional, and business interests on the other. This includes avoiding actual conflicts of interest as well as the perception of conflicts of interest.

The purpose of this policy is to protect the integrity of AB's decision-making process, to enable our stakeholders to have confidence in our integrity, and to protect the integrity and reputation of volunteers, staff and committee members.

Examples of conflicts of interest:

- A board member, coach or team manager whose child, relative or associate, or a coach whose client or associate is vying for selection on the National Team/National Development Team, influences or is able to influence selection policy or the selection process.
- A board member or coach who is related or associated with an athlete or is in the employ of or provides services to an athlete or associate influences or is able to influence the distribution of funding or grants which will benefit materially in anyway the athlete, coach or associate
- A member of an advisory panel recommends the changing of race rules or selection criteria, such as reducing the permissible age for international competition, to create circumstances where their child, relative, client, service provider or associate is able to otherwise enter international events.
- A provider or an associate of a provider of training services, whether for-profit or not, influences decision-making process of training services selection by the ABA board/an ABA sub-committee
- A provider or an associate of a provider of training services, whether for-profit or not, influences the number of athletes who are eligible to meet AB selection criteria and who in turn are eligible to make use of the provider's services
- A team manager who has a child vying for sole or limited places in international competition is in a position of influence to limit others' opportunities.

- A board or sub-committee member provides services or goods to the Association without open tender, for example, a board or sub-committee member may be an agent who is the sole provider of products to the organisation and may furthermore use the relationship to offer their products or services to the membership.
- A board or sub-committee member holds official roles in a related sports organisation and is able to influence resources whether financial or otherwise for the benefit of the related organisation
- A member who develops an intimate relationship with another member, or non-member, where either one or both of those persons has an official position or responsibility with the ABA
- A member whose relatives or associates own property for rent in resorts overseas volunteers to manage international travel arrangements for athletes and coaches, which includes programs at resorts where the properties are located and coaches are directed to preferential accommodation.

ABA Declaration Statement and Register

So as to address any perceived, real or potential conflict of interest, board and sub-committee members, the Executive Officer (EO) and any others as required by the board must complete the forms:

1. Conflict of Interest Disclosure Agreement
2. Register of Conflict of Interests

on appointment or election to the ABA Board or as required by the EO, such as when a conflict or potential conflict is recognised.

Unless otherwise invited, the person with a conflict of interest is to remove her/himself from discussion of the matter and irrespective of invitation to discussion, is nonetheless, not permitted a vote or influence the matter at hand.

Depending on the extent of the conflict or perceived conflict of interest, the ABA Board will decide the appropriate action regarding the reported conflict. A relatively minor one perhaps would not justify exclusion from discussion, but would always require exclusion from the voting process.

In the case of volunteers, officials, coaches and staff or any other service providers, any conflict of interest must be reported to the EO, who will address the conflict or perceived conflict of interest. The EO will require existing conflicts of interest to be recorded by persons with a conflict of interest and/or the Register of Conflict of Interest completed.

The ABA endorses a culture of valuing the managing of conflict of interest and avoiding conflict of interest or perceived conflict of interest. Other related policies and procedures for example, appointments, selection and contracting will operate in conjunction with this policy without exception.

Scope

This policy applies to all members of the ABA Board and sub-committees, the EO, all volunteers, officials, coaches, staff and any other service provider as well as any person acting on behalf of athletes, coaches or associates.

Definitions

Conflicts of interest are real, perceived or potential instances where a person, group or organisation could benefit from a decision and/or or access to information. The benefit may be financial or non-financial.

Procedures

1. Upon election or appointment each ABA Board member will make a full, written disclosure of interests, such as relationships, and posts held, that could potentially result in a conflict of interest. The signed Conflict of Interest Disclosure Agreement and completed Register of Conflict of Interests notes the actions to be taken to manage the conflict. Other persons who develop a conflict of interest will complete appropriate documentation as soon as the need arises.
2. All ABA Board members' declarations and registers will be declared to the Board.
3. The EO will manage the Conflict of Interest Register
4. In the course of meetings or activities, board members, members of sub-committees, advisory panels and observers, will disclose any interests in a transaction or decision where there may be a conflict between the ABA's best interests and that person's best interests or a conflict between the best interests of two organisations that the committee members is involved with; or where they have a material personal interest.
5. After disclosure, the affected person/s including observer/s will be asked to leave the room for the discussion and will not be able to take part in the decision.
6. The Board may consider permitting the affected person to be invited to participate in parts of the discussions on the conflicted matter, but the affected person will not be permitted a vote in a decision.
7. Any such disclosure to stand down as a result of conflict of interest and the subsequent actions taken will be noted in the minutes.
8. This policy is meant to supplement good judgement, and board members, coaches, officials, volunteers, and service providers should respect its spirit as well as its wording.
9. Actions resulting from the declaration of a conflict of interest, other than minor matters where discussion may be permitted, may include but not be limited to one or a combination of the following:
 - Recording the nature of the conflict of interest including any actions or decisions
 - The person who has declared the conflict to not participate in particular decisions
 - The person who has declared the conflict of interest not to be present for particular discussions
 - The person who has declared the conflict of interest not to participate in a series of meetings
 - The person who has declared the conflict of interest not to participate in administration of designated ABA projects/ongoing operations
 - Where the conflict of interest has a significant impact on the reputation of the organisation, or the capability of the person to function in their role, they will be asked to stand down from the board, sub-committee or role or suspend their role until such time as the conflict of interest is no longer an issue
 - Where a person fails to declare a conflict of interest they may be subject to disciplinary and/or legal action.

Document

1. Conflict of Interest Disclosure Agreement and Declaration Form