

Conflicts of Interest Procedure

Brief description

This Procedure outlines the minimum requirements to effectively declare a conflict of interest.

Document information

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Document accountability

Role	Position
Owner	Executive Committee
Custodian	Honorary Secretary

Endorsed by Executive Committee on

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1 Terms and definitions

In this Procedure:

“Related Party or Person” generally means anyone who is part of your immediate family, such as a spouse or dependent child, or someone who is dependent on you and whose affairs are closely linked (e.g. an aged parent). Related persons are not always restricted to family relationships, but are often more broadly defined as anyone whose affairs are closely linked to yours, where there may be some type of direct or indirect beneficial relationship.

“Related Party Transaction” means a transaction with a Related Party or Person where there is a transfer of resources, services or obligations between VDCC and a related party, regardless of whether a price is charged or not.

“Responsible Officer” means an officer who facilitates compliance with this Procedure, in addition and is responsible for monitoring overall compliance with this Procedure. The key person identified as the VDCC Responsible Officer is:

- (a) the Honorary Secretary who monitors compliance for all conflicts of interest at VDCC, maintains the Conflicts of Interest Register and provides a summary to the Executive Committee.

2 Introduction

2.1 Purpose

This Procedure provides direction on how VDCC members, coaches, managers and players can identify and manage a Conflict of Interest so as to:

- (a) serve the interests of VDCC through informed decisions based on merit, without regard to any Private or Personal Interest;
- (b) support transparency and scrutiny of decision making;
- (c) promote individual responsibility for disclosing and managing a Conflict of Interest; and
- (d) build a supportive organisational culture within VDCC that facilitates disclosure and discussion of Conflicts of Interest.

2.2 Scope

This Procedure applies to all of VDCC’s business activities and operations and all members, coaches, managers and players.

2.3 Objectives

This Procedure reflects VDCC’s minimum requirements in ensuring Conflicts of Interest are identified, disclosed, managed, monitored and reported in a transparent and accountable manner to ensure VDCC, members, coaches, managers and players comply with their obligations when dealing with Conflicts of Interest.

3 Roles and responsibilities

To assist members, coaches, managers and players to better understand their responsibilities, key responsibilities and accountabilities are summarised below:

Role	Responsibilities
Executive Committee	The Executive Committee has overall responsibility for VDCC members, coaches, managers and players performance of their roles and responsibilities, and for monitoring overall compliance of Conflicts of Interest.
Responsible Officer	The Responsible Officer must: <ul style="list-style-type: none">• monitor compliance by Executive Committee;• maintain the Conflicts of Interest Register;• provide summary reporting to the Executive Committee; and• give advice, guidance and assistance about the Conflicts of Interest Procedure and any supporting documentation.
Members, coaches, managers and players	All members, coaches, managers and players must: <ul style="list-style-type: none">• seek to avoid any Conflicts of interest;• regularly assess their Private or Personal Interests and whether they conflict, or have the potential to conflict, with their Official Duties;• disclose any Conflicts of Interest they have in accordance with this Procedure;• comply with this Procedure; and• notify the Responsible Officer if they do not understand any part of this Procedure.

4 Identifying Conflicts of Interest

All members, coaches, managers and players are to avoid, where possible, any Conflict of Interest.

Unavoidable Conflicts of Interest need to be identified, disclosed, assessed, managed, monitored and reported in accordance with this Procedure.

To assist with the identification of Conflicts of Interest, examples and specific instances of Conflicts of Interest are set out below, and a checklist is included in the Annexure to the Conflicts of Interest Declaration Form.

4.1 Examples of different types of Conflicts of Interest

Conflicts of Interest can be actual, perceived or potential, and involve pecuniary and non-pecuniary interests. Examples of these different types of Conflicts of Interest are set out in Table 1 below.

No	Example	Type of Conflict	Type of interest
1	Member, coach, manager or player has an ownership interest in a company which stands to benefit from a decision made by the VDCC member, coach, manager or player.	Actual	Pecuniary
2	Coaching, managing, or making decisions where a person is a close relative.	Actual	Non-pecuniary
3	Member, coach, manager or player is in a position to influence VDCC's decision to employ/grant a position to their spouse.	Perceived	Pecuniary
4	Member, coach, manager or player who is a selection panellist who is acquainted with the candidates, although has no personal relationships with the candidates.	Perceived	Non-pecuniary
5	Member, coach, manager or player owns material shares in a company which may be engaged to carry out works for VDCC.	Potential	Pecuniary
6	A relative works for a company that is interested in contracting to VDCC.	Potential	Non-pecuniary

Table 1 Types of Conflict of Interests

4.2 Examples of areas prone to Conflicts of Interest

Some examples of areas of work or organisational functions that create a higher risk for Conflicts of Interest include (but are not limited to):

Interests outside of VDCC:

- (a) additional, secondary employment by a member, coach, manager or player which affects the performance of their Official Duties (if Official Duties are paid);
- (b) affiliations with for-profit and not-for-profit organisations, other sporting bodies, clubs or associations;
- (c) a member, coach, manager or player, a Related Person, other relative or known associate has an ownership or a controlling interest in an external party which does, or could potentially do business with, or compete with, VDCC.

Other job specific activities include where a member, coach, manager or player:

- (a) is involved with the selection or appointment of a Related Person, other relative or known associate as member, coach, manager, player, vendor or supplier of VDCC;
- (b) is involved with or has influence over the procurement outcomes involving an external party which a Related Person, other relative or known associate is employed by or has a controlling interest in;
- (c) is associated with a body which may be the recipient of a grant, sponsorship or bursary from VDCC; or
- (d) is provided gifts by an external party which does, or could potentially do business with or compete with VDCC. Members, coaches, managers and players must declare any gifts received in their duties as a member, coach, manager or player to the Responsible Officer (in tandem with the requirements of this Conflicts of Interest Procedure).

5 Managing Conflicts of Interest

5.1 Conflict of Interest Management Framework and Process

The Conflict of Interest Management Framework (refer Figure 1 below) provides a diagrammatic illustration of the steps that should be taken in deciding how to deal with Conflicts of Interest. The three key stages are:

- identify and disclose;
- assess and manage; and
- monitor and report.

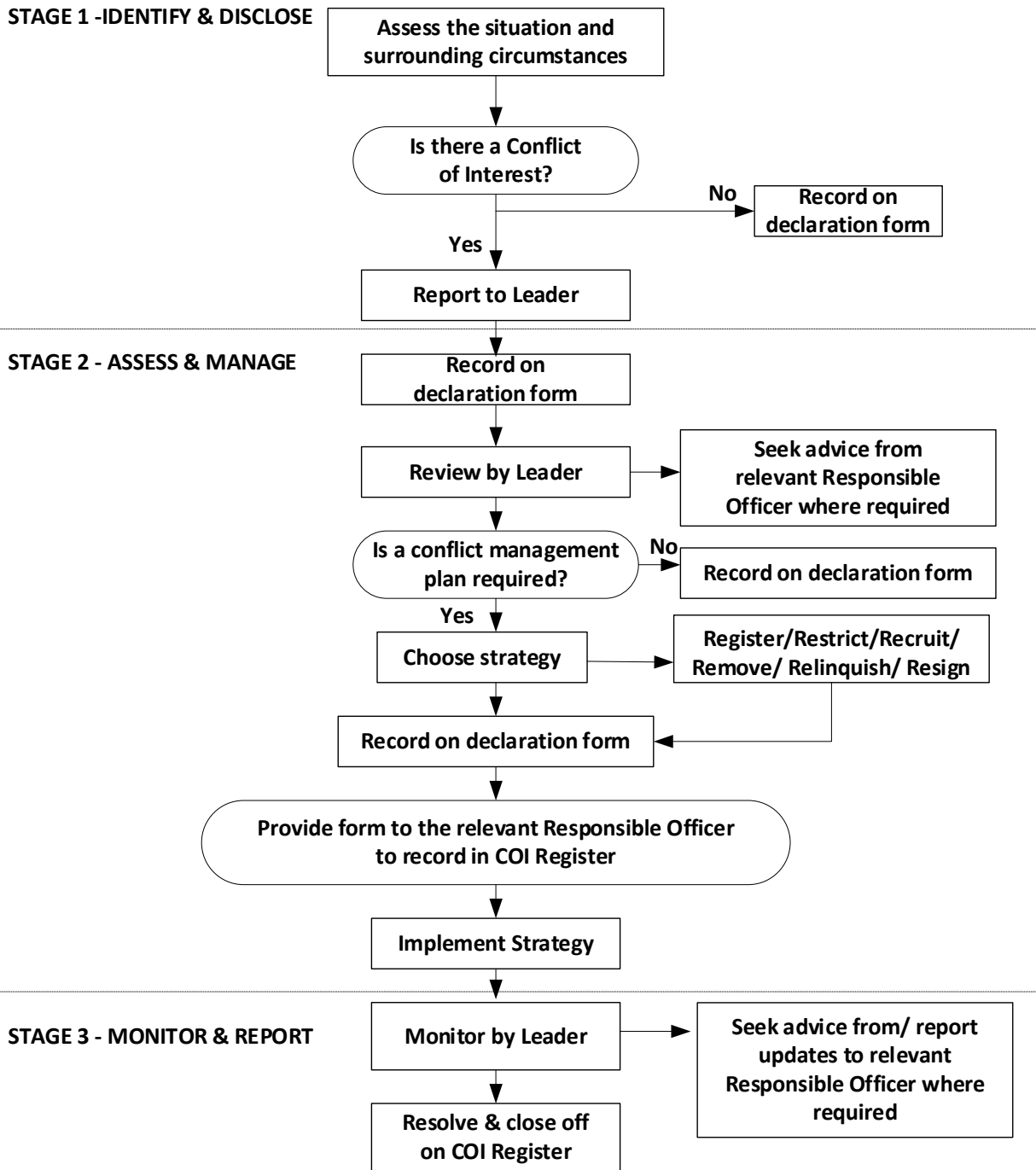


Figure 1 Conflict of Interest Management Framework

(a) Mandatory disclosure of Conflicts of Interest

All Executive committee members, coaches, managers and paid personnel are required to disclose any Conflicts of Interest upon appointment and as they arise thereafter using the Conflicts of Interest Declaration Form. Disclosure of Conflicts of Interest should include any material Private or Personal Interests as they may give rise to a potential Conflict of Interest.

On an annual basis, the Responsible Officer will also:

- (i) circulate the Conflicts of Interest Declaration Form to the Executive Committee for full disclosure of all Conflicts of Interest held at that point in time; and

- (ii) ensure that a reminder email is sent to all members, coaches, managers, and players, reminding them of their obligations under this Procedure to disclose any Conflicts of Interest as they arise.

Disclosures must:

- (iii) be in writing using the Conflicts of Interest Declaration Form;
- (iv) be made as soon as practicable after the relevant facts come to the members, coaches, managers and players' attention;
- (v) be made, depending on its origin, to the Responsible Officer;
- (vi) identify the specific matter to which the Conflict of Interest relates;
- (vii) contain all relevant facts and circumstances giving rise to the Conflict of Interest;
- (viii) contain enough detail to understand the potential impact of the Conflict of Interest and to allow an informed assessment about the Conflict of Interest and formulate an appropriate action plan; and
- (ix) be handled in a professional and confidential manner.

(b) When a written declaration is not immediately practicable

There may be times when you are in a position that does not allow you to disclose a Conflict of Interest in writing. For example, you may be in a meeting where, without prior warning, a matter is introduced in which you recognise you may have a Conflict of Interest. In such circumstances you should observe the following steps:

Step 1:

- (i) verbally disclose your Conflict of Interest;
- (ii) ensure that this disclosure is recorded in the minutes of the meeting;
- (iii) record this disclosure in your own meeting notes; and
- (iv) remove yourself from the meeting while this item is being discussed, or even have the meeting stopped or postponed.

Step 2:

- (i) complete the Conflicts of Interest Declaration Form;
- (ii) declare the Conflict of Interest to the Responsible Officer and provide them with a copy of your completed Conflicts of Interest Declaration Form; and
- (iii) complete the Conflict of Interest Management Plan contained in the Conflicts of Interest Declaration Form, if required.

(c) Mandatory management of Conflicts of Interests

The Responsible Officer must assess all Conflicts of Interest and decide on an appropriate strategy for addressing the Conflict of Interest. The choice of the strategy adopted will depend on an assessment of the nature of the Conflict of Interest, the complexity of the situation and the subtleties and severity of the case. As part of the assessment, the Responsible Officer should also review the effectiveness of the relevant members, coaches, managers and players ability to continue in his or her position once the strategy is implemented.

The Responsible Officer must record the strategy in the Conflict of Interest Management Plan section of the Conflicts of Interest Declaration Form, which is co-signed by declarant and the Responsible Officer. The declarant must comply with the plan, consistent with the declarant's undertaking in the Conflicts of Interest Declaration Form.

All completed and signed Conflicts of Interest Declaration Forms must be stored in the VDCC's Conflict of Interest Register. All Conflicts of Interest Declaration Forms that declare a Conflict of Interest must be referenced in the Conflicts of Interest Register.

After disclosure or identification of a Conflict of Interest by a member, coach, manager or player the Responsible Officer must ensure that the documentation is structured so that all work undertaken and material recorded on a matter where a Conflict of Interest has been disclosed or identified, is not available to or accessible by the relevant disclosing member, coach, manager or player.

(d) Procedures for meetings

Where the Conflict of Interest relates to an Executive Committee member, the Responsible Officer ensures that information relevant to a matter to which a Conflict of Interest relates is not included in the Executive Committee papers circulated prior to the Executive Committee meeting. Such information is to be provided separately to the Executive Committee members, other than the relevant Executive Committee member, either prior to the Executive Committee meeting or at the Executive Committee meeting.

At the commencement of each Executive Committee meeting, the Executive Committee must consider any new Conflicts of Interest disclosed by Executive Committee members, and approve management plans, where relevant. The Responsible Officer ensures that the identified Conflicts of Interest and management plans are captured in the Conflicts of Interest Register.

(e) A person who has disclosed a Conflict of Interest must not:

- (i) vote on any matter relevant to the Conflict of Interest;
- (ii) be present while the matter relevant to a Conflict of Interest is being considered by the Executive Committee, relevant committee or meeting; and
- (iii) otherwise take part in any decision of the Executive Committee, relevant committee or management in relation to the matter.

The Executive Committee meetings must record all disclosures of Conflicts of Interest and all declarations of no conflict in the minutes of the meetings.

Separate minutes of the discussion of the matter must be prepared and must not be available to the relevant VDCC member, coach, manager, player, vendor or supplier bearing the Conflict of Interest.

(f) Strategies to manage a Conflict of Interest

The Conflict of Interest Management Framework (Figure 1) outlines the main strategies to consider when managing your Conflict of Interest. Table 2 below provides further guidance as to the scenarios to consider when deciding on the appropriate strategy to apply.

Strategy	What this strategy means	When it is most suitable
1. Register	You formally register details of the existence of a Conflict of Interest.	<ul style="list-style-type: none"> All Conflicts of Interest must be registered. For very low-risk Conflicts of Interest, where recording the Conflict of Interest only is sufficient to maintain transparency.
2. Restrict	Restrictions are placed on your involvement in the matter.	<ul style="list-style-type: none"> You can be effectively separated from parts of the activity or process. The Conflict of Interest is not likely to arise frequently.
3. Recruit	Recruit a disinterested third party to oversee part or all of the process that deals with the matter.	<ul style="list-style-type: none"> It is not feasible or desirable for you to remove yourself from the decision-making process. In small or isolated groups where your particular expertise is necessary and genuinely not easily replaced.
4. Remove	You choose to remove yourself completely from the matter.	<ul style="list-style-type: none"> For ongoing serious Conflicts of Interest, where restriction or recruitment of others is not appropriate.
5. Relinquish	You relinquish the Private or Personal Interest that is creating the Conflict of Interest.	<ul style="list-style-type: none"> Where your commitment to VDCC outweighs your attachment to your Private or Personal Interest. Where you prefer to relinquish the relevant Private or Personal Interest rather than radically change your VDCC responsibilities or environment
6. Resign	You resign from your position that presents the Conflict of Interest.	<ul style="list-style-type: none"> No other options are workable. You cannot or will not relinquish your conflicting Private or Personal Interest. You prefer this course as a matter of personal principle.

Table 2 Strategies to manage a Conflict of Interest

5.2 Conflicts of Interest Register

VDCC maintains a single, centralised Conflicts of Interest Register. The Responsible Officer is responsible for maintaining the Conflicts of Interest Register and must ensure that the

Register contains all relevant material and is complete and available for audit purposes. A new Register document will be created annually.

The Responsible Officer must save all documentation and record:

- (a) all Conflicts of Interest identified, including disclosures of any material Private or Personal Interests;
- (b) what actions have been recommended in relation to the identified Conflicts of Interest;
- (c) what actions have been taken in relation to the identified Conflicts of Interests;
- (d) details of any breach of the Conflicts of Interest Procedure; and
- (e) must regularly monitor and reassess the Conflicts of Interest recorded in the Conflicts of Interest Register and take steps to manage and address such Conflicts of Interest.

6 Non-compliance with this Procedure

Breaches of the Conflicts of Interest Procedure may result in disciplinary action or other penalties.

6.1 Reporting of non-compliance

VDCC members, coaches, managers and players must report actual or suspected breaches of the Conflicts of Interest Procedure to the Responsible Officer in the first instance, to consider the appropriate redress required, which includes but is not limited to:

- (a) an informal discussion with the relevant persons on his or her obligations under this Procedure;
- (b) completion of an appropriate conflict management plan in accordance with the framework outlined in Figure 1 of this Procedure; and
- (c) a formal discussion in accordance with the disciplinary process.

Members, coaches, managers and players must notify the Responsible Officer of all instances of non-compliance that have been raised with them.

The Responsible Officer must record any non-compliance with this Procedure in the Conflicts of Interest Register.

6.2 Monitoring of compliance

VDCC will arrange for an auditor to carry out a periodic audit and review of:

- (a) the Conflicts of Interest Register;
- (b) the Executive Committee minutes; and
- (c) if any, the information technology systems to ensure their integrity and access controls.

Conflict of Interest audit reports must be provided to the Executive Committee.

The Responsible Officer should perform recurring Conflict of Interest compliance monitoring processes which cover the following:

- (a) the Conflicts of Interest Procedure and Declaration Form are in date and reflects current processes;
- (b) the Conflicts of Interest Register contains information per a random sample of Conflict of Interest Declaration Forms that declare a Conflict of Interest; and
- (c) the actions specified with a random sample of conflict management plans contained in Conflict of Interest Declaration Forms have been implemented or are being observed.

The Chairperson (in conjunction with the Responsible Officer) is responsible for reviewing and evaluating the effectiveness of this Procedure at the frequency set out on page 1 of this Procedure.

7 Training and awareness

The Responsible Officer and the Executive Committee will provide assistance to any VDCC member, coach, manager or player with respect to the implementation of this Procedure.

8 Appendices

8.1 Appendix 1 – Revision history

Revision date	Revision description	Author	Endorsed by	Approved by
14 June 2021	First Procedure relating to Conflict of Interest	Rufus Gandhi	Honorary Secretary	Executive Committee
15 May 2023	No changes except minor tidy ups.	Rufus Gandhi	Honorary Secretary	Executive Committee