



Conflict of Interest Policy

1. PURPOSE

The purpose of this policy is to help members of Torrens Rowing Club Inc. (TRC) to effectively identify, disclose and manage any actual, potential or perceived conflicts of interest in order to protect the integrity of TRC and manage risk.

2. SCOPE

This policy applies to committee members of TRC and members outside the committee who are designated with specific administrative responsibilities on behalf of the club.

3. DEFINITION OF CONFLICT OF INTEREST

A conflict of interest occurs when a person's personal interests conflict with their responsibility to act in the best interests of TRC.

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

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 TRC and must be managed accordingly.

4. POLICY

This policy has been developed to address conflicts of interest affecting TRC.

Conflicts of interest are common, and they do not need to present a problem to TRC if they are openly and effectively managed.

It is the policy of TRC, as well as the responsibility of the committee, that ethical, legal, financial or other conflicts of interest be avoided and that any such conflicts (where they do arise) do not conflict with the obligations to TRC.



TRC will manage conflicts of interest by requiring members to:

- avoid conflicts of interest where possible
- identify and disclose any conflicts of interest
- carefully manage any conflicts of interest, and
- follow this policy and respond to any breaches.

4.1 Responsibility of the committee

The committee is responsible for:

- establishing a system for identifying, disclosing and managing conflicts of interest across TRC,
- monitoring compliance with this policy, and
- reviewing this policy on a regular basis to ensure that the policy is operating effectively.

TRC must ensure that its committee members are aware of the Australian Charities and Not-for-profits Commission (**ACNC**) governance standards, particularly governance standard 5, and that they disclose any actual or perceived material conflicts of interest as required by Governance Standard 5.

4.2 Identification and disclosure of conflicts of interest

Once an actual, potential or perceived conflict of interest is identified, it must be entered into TRC's register of interests, as well as being raised with the committee and minuted.

Where a member shares a conflict, the committee should refer to ACNC Governance Standard 5 to ensure that proper disclosure occurs.

The register of interests must be maintained by the Secretary. The register 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).

4.3 Confidentiality of disclosures

TRC will make the Conflict of Interest Policy available to all TRC members

The register of interest may be withheld from disclosure to the broader membership, at the discretion of the committee, if confidential information may need to be protected.

5. ACTION REQUIRED TO MANAGE CONFLICTS OF INTEREST

5.1 Conflicts of interest of committee members

Once the conflict of interest has been appropriately disclosed, the committee (excluding the committee member who has made the disclosure and any other conflicted committee member) must decide whether or not those conflicted committee members should:

- vote on the matter (this is a minimum),
- participate in any debate, or
- be present in the room during the debate and the voting.



5.2 Conflict of interest of a member or members

Once the conflict of interest has been appropriately disclosed, the committee must decide whether or not those conflicted members should:

- participate in any debate, or
- be present in the room during the debate and the voting.

5.3 What should be considered when deciding what action to take

In deciding what approach to take, the committee will consider:

- whether the conflict needs to be avoided or simply documented,
- whether the conflict will realistically impair the disclosing person's capacity to impartially participate in decision-making,
- alternative options to avoid the conflict,
- TRC's objects and resources, and
- the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of, TRC.

The approval of any action requires the agreement of at least a majority of the committee (excluding any conflicted committee member/s) who are present and voting at the meeting.

In exceptional circumstances, such as where a conflict is very significant, or likely to prevent a committee member from regularly participating in discussions, it may be worth the committee considering whether it is appropriate for the conflicted person to resign from the club.

The action and result of the voting will be recorded in the minutes of the meeting and in the register of interests.

6. COMPLIANCE WITH THIS POLICY

If the committee has a reason to believe that a member subject to the policy has failed to comply with it, it will investigate the circumstances.

If it is found that this member has failed to disclose a conflict of interest, the committee may take action against that person. This may include seeking to terminate their relationship with TRC if the breach is serious and remediation of the breach has not been satisfactorily resolved.

If a committee member suspects that a member has failed to disclose a conflict of interest, they must discuss this with the person in question, notify the committee, or the person responsible for maintaining the register of interests.



TORRENS ROWING CLUB

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Contacts

For questions about this policy, contact the committee or the Secretary via email:

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