



# Way of the Horse Coaching Incorporated

[www.wayofthehorsecoaching.com](http://www.wayofthehorsecoaching.com)

## Conflict of interest policy and procedure

### 1. Policy

#### 1.1 Purpose

Way of the Horse Coaching Incorporated

#### 1.2 Scope

This policy provides a framework for actual, potential, or perceived conflicts of interest. This policy applies to all Way of the Horse Coaching Incorporated board members and workers. The term worker includes permanent and casual employees, contract workers, temporary agency workers, students and volunteers.

#### 1.3 Policy statement

Way of the Horse Coaching Incorporated actively identifies and manages conflicts of interest so they do not detrimentally affect the services, activities or decisions of the organisation. Way of the Horse Coaching Incorporated recognises that conflicts of interest arise, and do not need to present a problem to the organisation if they are openly and effectively managed.

As part of its commitment to providing high quality services, Way of the Horse Coaching Incorporated and its workers will:

- avoid conflicts of interest where possible
- identify and disclose any conflicts of interest
- actively manage any conflicts of interest
- comply with this policy and respond to any breaches.

#### 1.4 Guiding Principles

a.) Way of the Horse Coaching Incorporated acts in the best interest of participants, safeguarding them from potential discrimination, exploitation, abuse, harm, neglect, and violence.

b.) Way of the Horse Coaching Incorporated plans, delivers and reviews services in collaboration with participants and their families, friends, and carers, supporting a person's right to exercise choice and control.

c.) Way of the Horse Coaching Incorporated has mechanisms in place to ensure all any actual, potential, or perceived conflicts of interest are declared, documented, managed, and monitored.

d.) Way of the Horse Coaching Incorporated workers treat all service users equally and ensures that no service user is given preferential treatment, above another, in the receipt or provision of support. Workers must not seek or receive any personal or financial benefit because of their work, including gifts or rewards.

## 1.5 Definitions

Conflict of interest: A person or business that derives real or apparent benefit from actions or decisions made in their official capacity. Conflicts may be actual, potential, or perceived.

Actual conflict of interest: There is a real conflict between a person's private interests and the interests of Way of the Horse Coaching Incorporated.

Potential conflict of interest: A person or business has private interests that could conflict with their official Way of the Horse Coaching Incorporated. This refers to circumstances where it is foreseeable that a conflict may arise in future and steps should be taken now to mitigate the risk.

Perceived conflict of interest: The public or a third party could form the view that a person or business's private interests could improperly influence their decisions or actions, now or in the future.

Personal interest: Refers to a person or business's own interests and those of their family and friends and/or any organisations they support or are involved with.

Benefit: Any product, service, or advantage given to a person due to their work. This can include money, gift cards, gifts or discounts or favourable treatment.

## 1.6 Responsibilities

All Way of the Horse Coaching Incorporated board members and workers are responsible for complying with this policy and declaring any personal interests, which must be documented in writing. Information arising from conflict of interest disclosures will be managed in accordance with the Way of the Horse Coaching Incorporated privacy policy and procedure.

### **a) The board**

Board members must disclose any actual, potential or perceived conflicts of interests as they arise. Conflict of interest is a standing agenda item at board meetings and disclosures are recorded in the meeting minutes.

The board should also monitor and review Way of the Horse Coaching Incorporated conflict of interest register, ensuring all items are appropriately managed

### **b) CEO**

The CEO will monitor and review the conflict of interest register, ensuring this policy is being followed.

CEO is responsible for ensuring that, prior to engaging an independent contractor and or auditor, potential conflicts of interest are explored and managed accordingly.

The CEO ensures that conflict of interest is explained to staff during induction, including potential conflicts arising from multiple employers, personal relationships, and gifts.

The CEO will:

- provide direction in implementing this policy and model expected behaviour
- participate in conflict of interest resolution.
- manage breaches to this policy.

- ensure that service users or their family, carer or Guardian are informed of any actual, potential or perceived conflicts of interest that affect, or may affect, their services .
- The CEO will review this policy annually to ensure its continued application and relevance.

## **2. Procedure**

This procedure sets out the steps required to achieve the expectations laid out in the above policy. Conflicts arise in numerous circumstances. Regardless of the type of conflict, all conflicts must be declared so that they may be managed appropriately. Examples of scenarios where conflicts may occur include:

- relationship with family or friends
- staff recruitment
- work activities outside Way of the Horse Coaching (paid/unpaid)
- personal relationships with internal and/or external parties
- financial interest
- disposal of assets
- gifts/benefits
- provision of external consultancy services
- procurement of goods and services.

### 2.1 Disclosing conflicts of interest

All actual, potential, or perceived conflicts of interest are to be reported to the CEO who must report it to Chairman of the Board as soon as reasonably practical.

When board members have a conflict of interest, the conflict is reported to the meeting members and recorded in the meeting minutes.

### 2.2 Managing the conflict of interest

The four recommended responses are:

- **Avoid the conflict of interest:** This is the preferred response when a conflict poses an unacceptable risk to, or impact on, a worker, consumer, member of the public, or the organisation. To avoid a conflict of interest, the worker concerned may be removed from the situation causing conflict or asked to relinquish the private interest creating the conflict.

- Accept and reduce the conflict of interest: A conflict of interest may be reduced by ensuring that the worker concerned has restrictions placed on their involvement in the relevant matter, or that another worker or organisational area takes responsibility for the matter.
- Share the conflict of interest: A conflict of interest may be shared by involving a third party to oversee part, or all, of the decision-making process that deals with the relevant matter.
- Retain the conflict of interest: A conflict of interest may be retained, and the worker continues to be involved in the matter concerned, subject to a regular review of the situation. This response is only suitable for low risk conflicts of interest.

## 2.4 Monitor and review

The CEO must:

- enter all new conflicts of interest on to the conflict of interest register, updating as required
- maintain the register, ensuring all conflicts are reviewed at least annually
- report new, or changed, conflicts of interest to the board at each board meeting, as part of the CEO's report
- All conflicts must be reviewed on at least an annual basis, to ensure that the information remains correct, and that the management responses continue to be appropriate and effective.

## 3. Related organisational documents

- Code of conduct
- Whistle blower policy
- Conflict of interest register
- Conflict of interest declaration form
- Privacy policy and procedure

Agreed Signed

Date

Review date

