



# Congregational Policy: Conflict of Interest

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## 1.0 Policy Statement

The Congregation is committed to the principle of objective, fair, and equitable treatment of all staff members. It is therefore essential that Congregational activities are conducted in an atmosphere where actual or apparent conflicts of interest that compromise this principle are either avoided or disclosed and effectively managed.

### 1.1 Our Calling

As a people journeying together we affirm our calling under God:

- to preach Christ the crucified and risen one and confess him as Lord
- to bear witness to the unity of faith and life in Christ, rising above cultural, economic, national and racial boundaries
- to engage in fearless prophetic ministry in relation to social evils which deny God's active will for justice and peace
- to act with God alongside the oppressed, the hurt and the poor
- to accept responsibility for the wise use and conservation of the finite resources of this earth for the benefit of all
- to recognise, treasure and use the gifts of the Spirit given to all God's people for ministering
- and to live a creative, adventurous life of faith, characterised by openness, flexibility, hope and joy.

Consideration should be given to our calling in seeking guidance and interpretation surrounding this policy.

### 1.2 Scope

These provisions apply to all Congregational staff members whose relationship as defined in 3 (b) below causes or may cause a conflict of interest.

#### 1 Definitions

- (a) "Conflict of interest is defined as a situation in the Congregational workplace where two or more employees have a current or former relationship outside work and one of the employees directly or indirectly manages the other employee; OR

where an employee or a person with whom that employee has a relationship may benefit directly or indirectly from the provision of goods or services to the Congregation by a supplier or service provider.

- (b) "Relationship" includes but is not limited to relationships by blood, adoption, marriage, or domestic partnership: partner, parent, child, sibling, first cousin, uncle, aunt, nephew, niece, spouse, brother- or sister-in-law, father- or mother-in-law, son- or daughter-in-law, step-parent, or step-child; OR

romantic and/or sexual relationships or close personal friendships; OR





a business relationship in which an employee or a member of the employee's family is associated with a business entity either as a board member or in an operational capacity.

- (c) "Direct or indirect manager" is an employee who participates in decision making or has decision making responsibility related to employment status including hiring, remuneration, conflict resolution, working conditions, working responsibilities, evaluation, promotion, and termination.
- (d) "Neutral manager" is a manager who may be delegated a range of management responsibilities to ensure that a conflict of interest between two related employees (see 2.1 b) is effectively managed.
- (e) "Benefit" means anything which provides an employee with a direct or indirect personal gain or the potential for personal gain or gain to a related third party. Such a gain includes but is not limited to
  - financial gain;
  - recruitment, promotion, secondment, remuneration increase or other employment benefit, provision of materials, resources, facilities;
  - benefits such as travel, gifts, meals and / or entertainment and accommodation expenses.
  - intellectual property.

### 1.3 Policy Owner

This Conflict of Interest Policy is implemented and maintained by the Director, People and Culture.

### 1.4 Further Assistance

Any staff member who requires further assistance in understanding or applying this policy can contact a member of the People and Culture team.

### 1.5 Policy Review

This policy will be reviewed every two years or earlier if required.

### 1.6 Related Policies and Procedures

Code of Conduct  
Recruitment and Selection Policy  
Equal Opportunity Policy

## 2.0 Policy in Practice



A conflict of interest in employment arises where there is a relationship between two employees in the same workplace with the result that:

- decision making in the work place may not be objective or may be perceived as not being objective;
- the relationship between the parties may adversely affect the interests or working environment of other employees.

It is therefore essential that any conflict of interest or potential conflict of interest between employees is avoided or managed effectively and so the following requirements apply:

- (a) No employee may directly manage or supervise a person with whom they have a relationship (as defined in clause (b) above);
- (b) Where a new appointment or change in structure is proposed that may create a conflict of interest between employees such as an indirect reporting relationship then the proposed appointment or change may only proceed where
  - an effective management plan is put in place; and
  - written approval is obtained from the Chair of Church Council or Presbytery.

## 2.1 Process

The process to manage a conflict of interest between employees is as follows:

- (a) the senior related employee or both employees or the Chair of Church Council will notify the Presbytery of the relationship between employees or between a current and prospective employee;
- (b) the Presbytery will determine whether it is possible to nominate an appropriate neutral manager. If it is not practicable to nominate an appropriate neutral manager then the proposed appointment to that position or the proposed structure may not proceed;
- (c) If a nomination of a neutral manager is practicable, then the neutral manager, the Chair of Church Council and the Presbytery will develop a management plan for the related employees which ensures
  - that decision making is objective;
  - that an atmosphere of equity and fairness is maintained;
  - that there is consistency in the treatment of employees;
  - the effective and efficient operation of the work area(s) in which the related individuals are employed.
- (d) All management plans will be submitted to the Presbytery for approval
- (e) All management plans will be reviewed by the relevant Chair of Church Council and Presbytery periodically or upon request of any employee who believes s/he is affected adversely by the management plan or is concerned about the effectiveness of the plan.
- (f) Employees who are in a position to be affected significantly by a conflict of interest in employment will be advised of the management plan, and will be provided with information regarding the appropriate person(s) to whom they may bring relevant concerns. In most cases, this will be the neutral manager or Presbytery representative.



## 2.2 Conflict of interest with suppliers / service providers/ other organisations

### 2.3.1 Financial interest

A financial conflict of interest occurs where a Congregational staff member or a member of their family has a financial interest in an organisation where they could influence, or could be perceived to influence, the awarding of contracts or other business or benefits. In such cases the conflict of interest must be declared to the Presbytery who will make a written determination on whether the Congregation will conduct business with the organisation and if so, how the conflict of interest will be effectively managed.

### 2.3.2 Business Transactions

A staff member who has delegated authority to approve payments on behalf of the Congregation

- must not undertake any business transaction, including authorisation of payment, with a person with whom they have a relationship;
- must not approve payments to themselves, or to a person with whom they have a relationship as defined in 3 (b) above.

## 2.3 Conflict of Interest and Intellectual Property

A conflict of interest occurs where an employee discloses to third parties Congregational information that is not in the public domain. Therefore employees must not use information obtained in the course of their work for their own personal benefit or disclose such information to a third party except where consent has been obtained or where there is a legal or professional duty of disclosure.