



Ethical Advocacy Policy

Policy Statement

An integral part of the REAIE Committee's commitment to ethical governance is to ensure that no one profits personally from REAIE. More specifically, the standard of behavior at REAIE is that all Committee members try to avoid conflicts of interest between the interests of REAIE on the one hand, and personal, professional and business interests on the other. This includes avoiding potential and actual conflicts of interest, as well as perceptions of conflicts of interest.

Adopting a **ethical advocacy** policy is an effective means of ensuring that the Committee has processes for dealing with conflicts of interest.

This policy also acknowledges that Committee members may be offering professional learning opportunities in a paid capacity, outside of their voluntary role on the Committee. This policy is not to sanction their work or to prevent them from working but rather, to encourage individuals to be transparent about this work.

Context

A conflict of interest can be either a real, perceived or potential conflict between the personal or business interests of a Committee member and the Committee member's duty to act in the interests of the public entity.

Good practice will be in place if the REAIE Committee follows the principles for dealing with, and managing, conflicts of interest or ethical advocacy.

The decisions of the Committee can be tainted if there is a reasonable perception that Committee members, their family or close associates could benefit personally from **decisions** of the Committee.

Policy Guidelines

Wherever a conflict of interest may be perceived, the matter must always be resolved by following the process below.

Possible conflicts of interest include:

- A Committee member holding shares in a company that is in some form of competition with REAIE or that will be affected in some material way by a Committee decision.
- A Committee member owning property in a location where REAIE is considering construction. If it is reasonably thought that REAIE will affect property values in the locality, then there is a conflict of interest.
- A Committee member has a close relative who is a potential consultant, contractor or service provider for the public entity.
- A Committee member has provided services in the past to REAIE (a conflict in itself) and a question on the quality of those services has arisen such that some action may be contemplated against the organisation.
- Conflicts of interest also arise when information and resources gained through REAIE's work is used for personal benefit or gain.

Conflict of Duty

A Committee member should assume that there is a conflict of duty wherever there is a real, perceived or potential conflict between:

- The committee member's duty to REAIE in their voluntary role and his or her duty to another organisation eg: school, children's service or other organisation that is a paid role.
- REAIE's interests and the Committee member's interests.

Committee member expertise

- If a 'conflicted' Committee member is valued on the basis of their knowledge of an issue and/or as a stakeholder representative, it may be in the public interest for them to be present for at least part of the Committee discussions when a vote is necessary so as to enable the Committee to utilise this knowledge and/or understand key stakeholder views.

Composition of the committee

- Committee members usually apply to be on the committee on the basis of expertise that usually derives from a related financial or non-financial interest. In such cases, even if all committee members are present at the meeting, there may never be a quorum if all 'conflicted' members abstain from certain decisions. In such circumstances, it may be in the public interest for certain committee members to take part in discussion and decision-making on the issue.
- Note, however, that if no quorum exists for a decision because committee members who are not conflicted are absent, it will almost always be in the public interest for the decision to be held over to the next Committee meeting.

Procedures

REAIE has procedures to deal with conflicts of interest. This involves the Chairperson:

- Asking for full disclosure of interests at the beginning of meetings.
- Recording the disclosure in the minutes of the meeting.
- Asking the committee to decide whether the conflict is material or 'real'.
- If necessary, enabling the Committee to ask the Committee member to leave the room while the matter is considered.
- Prohibiting the Committee member from taking part in any committee decision on the matter.

A Committee member may consider that another Committee member has a conflict of interest that has not been disclosed at the meeting. The Committee member who has concerns should raise these with the Executive who can then clarify this with the potentially conflicted Committee member

Declarations of Private Interests

REAIE will maintain a register of its Committee member's interests. Declarations of private interests must be completed by Committee members after appointment to the Committee. These declarations may be used as the initial basis for a register of interests. Every Committee member is required to review and update their declaration of interest whenever their circumstances change, and at least once annually.

Committee members should be able to request and gain access to the declarations of interests submitted by all Committee members.

Good Practice Tips to Identify a Conflict of Interest

The following good practice initiatives should be considered in addition to the compulsory requirements in the Public Administration Act:

- It is up to individual Committee members to manage their own conflicts of interest. They need to ask themselves: What is my individual responsibility? What do I have to disclose?
- A Committee member who considers they may have a conflict of interest relating to a vote at the next Committee meeting should complete and give to the Chairperson, a Conflict of Interest Statement. This indicates candor on the Committee member's part and assists the Committee in dealing with the issue. Any conflict of interest matters that have been raised should be recorded in the Committee minutes, as should the Committee member's withdrawal from the relevant deliberations.
- A Committee member who perceives a potential conflict of interest is encouraged to discuss this potential conflict of interest with the Executive Committee and/ or the REAIE Business Manager.

Attachments

Committee Members Annual Statement Concerning Possible Conflict of Interest Form

COMMITTEE MEMBERS ANNUAL STATEMENT CONCERNING POSSIBLE CONFLICT OF INTEREST

The undersigned person acknowledges receipt of a copy of the REAIE Ethical Advocacy Policy dated ___ / ___ / ___ .

By my signature affixed below, I acknowledge my agreement with the spirit and intent of this resolution and, I agree to report to the Chairperson of the Committee any possible conflicts (other than those stated below), that may develop before completion of the next annual statement.

I am on the committees of management / committees of the following organisations:

- a)
- b)
- c)

I have a personal financial interest (comprising greater than 10% of the capital) in the following organisations:

- a)
- b)
- c)

I am not aware of any actual conflict of interest in relation to the above Committee memberships and financial stake holdings.

I may have a conflict of interest or potential conflict of interest in the following area(s).

- a)
- b)
- c)

Signed:

Dated:

Print full name: