



# Scouts Victoria

## Conflicts of Interest Policy

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### SCOPE

This policy applies to all Scouts Victoria employees, members of the Branch Executive Council (BEC), BEC sub-committees, the Senior Leadership Team, and to all other members of Scouts Victoria forums with delegated decision-making powers, including the Leader(s) in charge of any Major Event. These people are referred to as “Members and Employees” in this Policy.

### POLICY STATEMENT

#### 1. Purpose of this Policy

Scouts Victoria expects that all Members and Employees will act with honesty and integrity in the best interests of Scouts Victoria. This includes:

- not seeking any undue advantage for themselves or their family and their associates;
- respecting the confidentiality of, and not misusing, Scouts Victoria information; and
- proactively identifying and managing conflicts of interests.

Where members or employees have a conflict of interest, this gives rise to a risk that decisions will be made based on, or affected by, this influence, rather than the best interests of Scouts Victoria.

**The purpose of this policy is to help members and employees to effectively identify, disclose and manage any actual, potential or perceived conflicts of interest in order to protect the integrity of Scouts Victoria and to manage this risk.**

As the receipt of gifts and other benefits may also create a conflict of interest, this policy also addresses the issue of members and employees accepting gifts and other benefits.

#### 2. What is a Conflict of Interest?

A conflict of interest occurs when a person's personal interests actually conflict, *potentially conflict*, or may be seen to conflict (*perceived conflict*), with their responsibility to act in the best interests of Scouts Victoria.

Personal interests include direct interests, for example an interest a member or employee may have as a potential supplier to Scouts; or an interest in another organisation a member or employee may be involved with or have an interest in, for example, if a relative or friend is a potential supplier to Scouts.

It also includes a conflict between a duty to Scouts and another duty that the member or employee has. Examples may include a duty owed by a volunteer, member to an external employer, or to another not-for-profit organisation competing for the same government funding. A conflict of interest may be financial or non-financial.

Receiving a gift or other benefit may also be seen to create a conflict of interest.

**Importantly**, conflict of interest are common, and they do not need to present a problem, as long as they are openly and effectively managed.

### **3. Disclosure and Management of Conflicts of Interest**

#### **3.1 Policy**

Scouts Victoria's policy in relation to conflicts of interest is that:

- 3.1.1 Members must proactively identify and disclose actual, potential or perceived conflicts of interest;
- 3.1.2 Members and employees will avoid conflicts of interest where possible;
- 3.1.3 Where this is not possible, the conflict of interest must be assessed and managed in accordance with this Policy; and
- 3.1.4 Members and employees are expected to immediately escalate any undisclosed conflicts of interest (their own or others) when they become aware of it.

#### **3.2 Disclosing conflicts of interest**

- 3.2.1 Any member or employee who believes they have a conflict of interest (or might have or be perceived to have a conflict of interest) in relation to a particular matter must disclose this conflict. If there is any doubt as to the materiality of the potential conflict, it should still be disclosed.
- 3.2.2 Members of the BEC and the Senior Leadership Team must complete an annual Declaration of Private Interests form each year and update it for any subsequent changes. Any disclosed potential conflicts must be entered into the Scouts Victoria Register of Interests, maintained by the General Manager, and be disclosed in any forum where the interest may be relevant to a decision.
- 3.2.3 Even if a conflict is included in the Register of Interests, a member or employee is expected to specifically identify that conflict in any meeting or other context where it may be relevant (for example if a decision is being made where there is a potential conflict with that person's personal interest), so that the relevant forum can assess the impact of the conflict on the ability of the member or employee to participate in the decision.
- 3.2.4 Where the actual, potential or perceived conflict relates to the purchase and disposal of goods and services, including tender management and granting of contracts, disclosure must be made as early as possible in the procurement process.

#### **3.3 Managing conflicts of interest**

- 3.3.1 Once a member or employee has disclosed an actual, potential or perceived conflict of interest, and that conflict is potentially relevant to a decision to be made by a Scouts Victoria forum, that forum (excluding the person who has made the disclosure, as well as any other conflicted members or employees) must decide whether the identified interest is sufficiently material to the decision to prevent the member or employee from:
  - voting on the decision (this is a minimum),
  - participating in any debate, or
  - being present in the room during the debate and the voting.
- 3.3.2 The disclosure of the conflict, and the subsequent discussion and agreed outcomes, must be minuted.
- 3.3.3 Where the conflict arises in connection with the day to day activities of an employee, that person should escalate the conflict to their manager, who must assess whether the conflict is sufficiently significant to prevent that employee from participating in the relevant decision.

### 3.4 What should be considered when deciding what action to take when a conflict is disclosed

In deciding what approach to take to manage a conflict of interest, these factors must be considered:

- Whether, having regard to the nature of the conflict, the conflict needs to be avoided completely, or simply documented.
- whether recusal (removing the potentially conflicted person from the decision making process) is appropriate or if there are other mitigation measures that can be implemented to address the conflict effectively.
- the need to maintain impartial decision-making. If recusal is not possible, consider involving independent parties or seeking external advice to ensure objectivity.
- alternative options to avoid the conflict.
- the ethical implications of the conflict and the chosen course of action. Upholding ethical standards is essential to maintaining trust and integrity.
- the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of, Scouts Victoria.

## 4 Gifts and other benefits.

Accepting a gift may be seen as creating a conflict of interest because it creates a risk that a person will make a decision based on, or affected by, that gift, rather than in the best interests of Scouts Victoria. Accordingly, Scouts Victoria's policy is that:

4.1 Members and employees **must** decline any offer of gifts or other benefits that may impact or be seen to impact on their ability to act in the best interests of Scouts Victoria

4.2 Accepting other gifts or benefits is discouraged.

## 5 Donations to Scouts Victoria

Accepting a donation which is offered to Scouts Victoria (rather than a personal gift to a member, an employee or their associates) is not prohibited by this Policy. However, Scouts Victoria may not wish to accept donations from certain donors. Full details of any proposal for Scouts Victoria to accept a donation (including any expectations of the donor in return) should therefore be referred to the Executive Manager before it may be accepted.

## RESPONSIBILITIES

### All members and employees

- Maintain awareness of this policy
- Disclose personal conflicts of interest in accordance with this Policy and comply with any directions in relation to management of that conflict.

### BEC

- Establish and oversee the system for identifying, disclosing and managing conflicts of interest across Scouts Victoria
- Ensure appropriate training in relation to the management of conflicts of interest
- Periodically review the effectiveness of this Policy

### **Chairs of BEC/BEC Sub-committees/Chief Commissioner/Leaders-in-charge of Major Event and other Scouts Victoria bodies with delegated decision making powers**

- Ensure all meetings include disclosure of conflicts of interest on the agenda
- Ensure conflicts are managed in accordance with this Policy

### Executive Manager

- Ensure all staff meetings include disclosure of conflicts of interest on the agenda
- Ensure that this policy is made available to all members and employees
- Maintain Register of Private Interests

### BEC Members and Members of the Senior Leadership Team

- Complete annual Declarations of Private Interests and update them as required

### MONITORING AND REVIEW OF THIS POLICY

The Branch Executive Committee will review this Policy in consultation with key stakeholders every 3 years or more frequently if required, for example to respond to change in the law.

This legal exemption to possess swords is made by Order in Council dated 3 June 2014

1. Other examples: diving tool/knives, fishing knives and utility/hobby knives used for their specialised purpose
2. Spear guns are a controlled weapon, but Scouts Victoria Policy prohibits the use of spearguns for any purpose whatsoever, including spear fishing – as they are not only potentially dangerous but difficult to supervise.
3. Crossbows are specifically listed as a prohibited weapon in the regulations.

### DEFINITIONS

Key word /abbreviation	Definition
<b>Conflict of Interest</b>	<p>Occurs when a person's personal interest conflict with their responsibility to act in the best interests of Scouts Victoria. A conflict may be actual, potential or perceived, and may be financial or non-financial.</p> <p>An <i>actual conflict of interest</i> involves a direct conflict between a matter being considered and a member or employee's personal or private interests.</p> <p>A <i>potential conflict of interest</i> may arise where a member or employee has private interests such that a conflict of interest would arise if the member were to become involved in conflicting responsibilities with Scouts Victoria in the future.</p> <p>A <i>perceived conflict of interest</i> may arise where it appears that a member or employee could be improperly influenced by a personal interest, but this is not in fact the case.</p>
<b>Gifts and Other Benefits</b>	<p>Includes anything of value, including mementos, meals, hospitality, tickets or other entertainment, travel, special favours; loans or payments to or for the benefit of a member or employee.</p> <p>Members/employees must decline any offer of gifts or other benefits that may impact or be seen to impact on their ability to act in the best interests of Scouts Victoria.</p>

## GOVERNANCE

Supporting procedures	
Supporting Documents	
Associated policies	Scouts Victoria Delegations Policy Scouts Victoria Real Property Policy
Related legislation	ACNC Governance Standard 5 – Duties of Responsible People to disclose conflicts of interest
Endorsed by	Chief Commissioner – August 5 2025 Executive Manager – August 5 2025 August 5 2025
Authorised by	Branch Executive Committee DATE
Policy owner	Executive Manager/Chief Commissioner
Date effective	DATE
Review date	DATE (3 years from effective date)
Content enquiries	<a href="mailto:cilla.boreham@scoutsvictoria.com.au">cilla.boreham@scoutsvictoria.com.au</a>

## VERSION CONTROL HISTORY

Version number	Date	Changes made
1	2015	New policy
2	October 2019	Reviewed and revised
3.1	August 2025	Reviewed and revised based on ACNC template Conflicts of Interest policy. Addition of section re Donations. Deletion of reference to register of Gifts.