

Policy and Procedure

Name: Conflict of Interest Policy GTO P1

Approved by: Marcus Sellen

Last reviewed: 28 January 2011

SECTION 1 - INTRODUCTION

PURPOSE

To protect SELMAR Services Pty Ltd (SELMAR) interests in impartial and objective decision making and the reputation of SELMAR by maintaining ethical standards of good judgement, fairness and integrity in all its dealings.

To ensure that in their dealings with both internal and external persons, entities, and organisations all employees, Board members, apprentices and trainees observe the highest standards of business ethics and avoid any activity or interest that might reflect unfavourably upon their own integrity and good name, or upon the integrity and good name of SELMAR.

SCOPE

The current policy is relevant to the following parties:

- SELMAR GTO Board Members
- SELMAR GTO Staff
- Apprentices/Trainees

DEFINITIONS

Word/Term	Definition
Personal Benefit	Anything which provides the SELMAR employee, Board member, apprentice or trainee with a direct or indirect personal gain.
Conflict of Interest	Conflict of interest may arise where a SELMAR employee, Board member, apprentice or trainee stands to receive a personal benefit through their business activities with SELMAR that could be seen to influence the proper and impartial exercise of their duties.
Near relative/partner	Refers to members of the immediate family, including children, parents, siblings, brother, sister of the person, spouse/de facto partner/same sex partner.

LEGISLATIVE CONTEXT

Name	Section
GTO Standards	8.3

GTOP4 Conflict of Interest Policy V1-28.1.2011

Please Note: Printing this document may make it obsolete. For the latest version of this policy always check the Policy and Procedures Directory

SECTION 2 - POLICY

PRINCIPLES

SELMAR accepts that situations arise from time to time where, for various reasons, a SELMAR employee, GTO Board member, apprentice/trainee may have particular interests which conflict with those of SELMAR. When this occurs SELMAR expects that individuals will adopt a SELMAR-wide perspective irrespective of their own particular interests.

SELMAR is committed to the principle that it is the responsibility of the individual to declare a potential conflict of interest that arises or is likely to arise.

POLICY

1	Dealings with Suppliers, Customers or Other Person
1.1	<p>Authorised employees, GTO Board members, apprentices and trainees must select and deal with suppliers, customers and other persons doing or seeking to do business with SELMAR in a completely impartial manner based always on the best interests of SELMAR.</p> <p>An employee, GTO Board member, apprentice or trainee must not conduct business on behalf of SELMAR with a member of his/her family, near relative/partner or a business entity with which the employee or a member of his/her family is associated except where such dealings have been disclosed and specific approval and written authorisation have been obtained from the Chief Operations Officer.</p> <p>An employee, GTO Board member, apprentice or trainee must not divert business of SELMAR away from another supplier, customer or other person to a member of his/her family or business entity with which the employee or a member of his/her family is associated except where such dealings have been disclosed and specific approval and written authorisation have been obtained from the Chief Operations Officer.</p>
2	Dealing with Employees, students, apprentices and trainees, and Potential Employees.
2.1	<p>Employees, GTO Board members, apprentices and trainees must ensure in their dealings with other employees or potential employees, that they observe the principles of fairness, impartiality and equal opportunity, and that they declare instances where they may have a conflict of interest.</p> <p>Conflict of interest can arise in a wide range of human resource matters, most notably recruitment and selection, promotion, disciplinary procedures, staff development, performance review and remuneration.</p> <p>In many of these instances, guidance is available from the relevant SELMAR policy. Further assistance and advice is available from Human Resources.</p>
3	Acceptance of benefits (gifts, entertainment, travel, accommodation, expenses etc)
3.1	<p>Employees, GTO Board members, apprentices and trainees must not seek or accept for themselves or anyone else from any organisation, person or entity which does or seeks to do business with SELMAR, any gift, entertainment benefit, travel benefit, accommodation benefit or other favours of a character which go beyond common courtesies consistent with ethical and accepted business practices.</p> <p>Where a benefit goes beyond common courtesies consistent with ethical and accepted business practices there is a duty to disclose it to the Chief Operations Officer.</p>

4	Directorships and/or executive positions in other companies or organisations
4.1	<p>Employees, GTO Board members, students, apprentices and trainees must avoid accepting certain positions or carrying out outside work where a conflict of interest or loyalty may arise and which may adversely affect their work for SELMAR.</p> <p>The onus is on the employee to report to the Chief Operations Officer on activities which may result in a conflict of interest or a breach of confidentiality.</p>
5	Use of SELMAR facilities and equipment
5.1	<p>Employees, GTO Board members, students, apprentices and trainees are expected to use the facilities of SELMAR efficiently, carefully and honestly. Such resources must not be used for financial gain or for political purposes without the express permission of the Chief Operations Officer. Any agreement for personal use should be minimal and strictly limited.</p> <p>These areas in which conflict of interest may arise are not exhaustive and employees should refer other areas of potential conflict to the Chief Operations Officer.</p>
6	Boards and Committees
6.1	<p>The issue of conflict of interest may arise in relation to the formal decision making processes of the Boards and Committees of SELMAR.</p> <p>In some cases members of a Board/Committee owe their membership to a particular interest group. This is a valid means of appointment and ensures that the Board/Committee has access to a wide range of views. It is expected that within this wide range of views there will be differences in the opinions, approaches and philosophies of individual members. The overriding concern of a member of a Board/Committee is the interests for which the Board/Committee exists and not the interests of the group which appointed the member. Where there is the possibility of a conflict of interest on any specific matter before a Board or Committee of SELMAR, this must be declared and discussed as follows:</p> <ul style="list-style-type: none"> • where a member of the Board or Committee considers that he/she has a possible conflict of interest, he/she is encouraged to consult with the Chair prior to the meeting. The Chair would advise the meeting which would then determine its course of action as set out below prior to consideration of the specific matter; • where a member has not advised the Chair prior to meeting, he/she must declare this possible conflict of interest at the meeting prior to the consideration of the specific matter; • a member who considers that another member might have a conflict of interest in relation to a specific issue is encouraged to discuss the matter before the meeting with the Chair and that other member. The Chair may, as a result of that discussion, advise the meeting to determine its course of action as set out below and prior to consideration of the specific matter. <p>In respect of the matter under consideration, and taking into account any specific and objective criteria against which a matter might be being considered, the Board or Committee shall determine and minute whether the affected person shall:</p> <ul style="list-style-type: none"> • remain a full participant in any discussion, including any vote; • remain a participant in any discussion but without voting rights; • remain present but with no right to participate; • stand down from the Board or Committee and absent himself/herself from the meeting for the duration of the matter under consideration.

7**Breaches of the policy**

7.1 A breach of this policy may result in disciplinary action being taken by SELMAR in accordance with the relevant internal procedures.

If it is subsequently found that a member on a Board or Committee has not declared a conflict of interest on a specific matter, the Chair of the Board or Committee concerned shall notify the CEO with a view to a caution being issued to the member or, if considered necessary, further disciplinary action being taken.

SUPPORTING DOCUMENTATION**Forms and Records Management**

Form	Retention Time	Retention Location
N/A		

Related Material/Policies

Name	Location	Document Type
GTOPUB6 Code of Conduct	Q:\SELMAR Handbooks\ GTOPUB6 Code of Conduct	Handbook

SECTION 4 - GOVERNANCE**RESPONSIBILITY**

Policy Owner	Manager GTO
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VERSION CONTROL AND CHANGE HISTORY

Version Number	Approval Date	Approved by	Amendment
1	28 January	Marcus Sellen	Creation of Policy

POLICY & PROCEDURE DIRECTORY REQUIREMENTS

CATEGORY	LOCATION
GTO Policy	Q:\GTO\Policy\GTOP4 Conflict of Interest Policy

KEYWORDS

Conflict of Interest, Board, Committee, Gifts, Benefit