



Conflicts Policy

POL-0002

Statement

The Uniting Church in Australia relies on its members, volunteers, ministers, employees, contractors and advisors for our functions and activities and through them we make numerous decisions and interact with many persons in many ways, including through inter-related councils of the Church. The existence of conflicts for us is therefore inherent due to the multiple relationships, duties and responsibilities of our people.

UCAQld is committed to ensuring that conflicts of interest are identified and managed to enable due process, impartiality and integrity in decision-making. UCAQld expects that acceptable standards of integrity and good conduct are followed, and conflicts of interest are identified, addressed and managed in an open, transparent and consistent manner.

Scope

This policy applies to every individual member, volunteer, ministry agent, employee, contractor and advisor of UCAQld who makes, or participates in making, decisions for us.

This policy applies in addition to any other conflicts policy and processes which may be adopted by any part of the UCAQld in relation to that part's specific functions or activities. In the event of an inconsistency between this policy and any other conflicts policy or process, this policy prevails.

Principles

- 1 The individuals to whom this policy applies are stewards for the Church. In performing their duties to, and fulfilling their responsibilities for, the Church:
 - (a) they are under a moral duty to ensure that the Church's resources – spiritual, human and material – are managed and used responsibly, efficiently and effectively; and
 - (b) they must take account of the impacts of their decisions and actions within the Church as a whole.
- 2 It is acknowledged that due to the nature of the activities and functions of the UCAQld the existence of conflicts is inherent and it is not always possible to avoid them. A conflict of interest refers to a situation where a conflict arises for an individual between two competing interests.
- 3 To ensure the continuing sustainability and protection of the UCAQld, it is important to acknowledge and manage conflicts of interest appropriately.
- 4 A conflict of interest will occur when the personal interests of an individual to whom this policy applies conflict with their responsibility to act objectively or in the interests of the Church. Conflicts of interest can be actual, perceived or potential:
 - (a) an **actual conflict** involves a conflict between an individual's duties and responsibilities to the UCAQld (including any board, committee, commission or council on which the individual serves on behalf of the UCAQld) and the individual's private, professional, business or other interests or duties to other organisations

For example:

- *the individual or a member of the individual's family owns property which is being sold to the UCAQld;*



- *the individual or a member of the individual's family owns a part of a business from which UCAQId purchases supplies;*
- *the individual is a member of both UCAQId Board A and UCAQId Committee B and a decision in the interests of UCAQId Board A is not in the interests of UCAQId Committee B.*

- (b) a **perceived conflict** exists where it would appear to an independent observer (either from within or from outside of the UCAQId) that an individual's private, professional, business or other interests or duties to other organisations do or could improperly influence the performance of the individual's duties and responsibilities to the UCAQId (including any board, committee, commission or council on which the individual serves on behalf of the UCAQId)

For example:

- *the individual is in a position to influence a decision of the Church to employ a family member or friend or appoint a family member or friend to one or more of the church's boards, committees, commissions, councils and/or representative positions;*
- *the individual has a legal obligation to do something which may be perceived as not being in the best interests of UCAQId Committee B of whom the individual is a member.*

- (c) a **potential conflict** arises where an individual's private, professional, business or other interests or duties to other organisations could conflict with that individual's duties and responsibilities to the UCAQId

For example:

- *the individual or a close family member or friend is employed by an organisation with the same interests as one or more parts of the UCAQId.*

5 All individuals have a duty to the UCAQId to act with honesty and integrity and promptly disclose any conflict they may have in the manner prescribed by the UCAQId from time to time.

6 Generally, all individuals must:

- (a) disclose all conflicts of which they are aware to the best of their knowledge; and
- (b) if circumstances change over time, make further disclosures,

to the relevant person in charge, and follow the related processes prescribed from time to time by the UCAQId.

7 If an individual has a doubt as to whether there is a conflict of interest, it is expected that the individual will seek the guidance of the relevant person in charge.

Responsibilities

1 All individuals within the UCAQId are personally responsible for understanding and complying with this Conflicts Policy.

2 All individuals must:

- (a) act within the law;
- (b) discharge their individual duties and responsibilities with integrity and professionalism;
- (c) not allow their external, professional, personal or financial interests or their duties to any external entity to compromise their duties, obligations and responsibilities to UCAQId;
- (d) identify any actual, potential or perceived conflicts of interest as it relates to themselves;



- (e) disclose any conflict as soon as they become aware of the conflict;
- (f) comply with this Conflicts Policy and all related processes prescribed by the UCAQId from time to time;
- (g) notify the relevant person in charge in the event they become aware of any breach (by themselves or another individual) of the Conflicts Policy or a related process; and
- (h) notify the relevant person in charge if they do not understand any part of the Conflicts Policy or any related process.

3 All relevant persons in charge must, in addition to their responsibilities as an individual:

- (a) take reasonable steps to ensure that those of whom they have oversight know about and understand the Conflicts Policy and related processes;
- (b) if notified of an actual, perceived or potential conflict of interest, follow the Conflicts Policy's related processes, which may include making a recording of the conflict in a register, recording the actions taken for each declaration and reviewing the register annually;
- (c) in relation to a request for guidance regarding whether there is conflict in relation to an individual who is a member of a Church council, commission, committee or board, refer the request to the relevant Church council, commission, committee or board for their decision;
- (d) take reasonable steps to ensure that the Conflicts Policy's related processes are followed; and
- (e) follow the processes prescribed from time to time by the UCAQId if a breach of the Conflicts Policy or related process is reported.

Dictionary

The other terms used in this policy have the same meaning as defined in this policy itself, the Regulations and Queensland Synod By-laws.

Term	Meaning
member	includes Church adherents, confirmed members, baptised members, elders, members-in-association, ministry agents and individuals who are members of any UCAQId church council, commission, committee or board.
ministry agent	includes Church candidates, community ministers, deacons, deaconesses, interns, lay pastors, ministers of the word, pastors, youth workers and ministers from other denominations serving in approved placements.
relevant person in charge	Means: <ul style="list-style-type: none"> (a) in the case of membership of a church council – the chairperson of that council (b) in the case of membership of a committee, commission or board – the chairperson of that body (c) in the case of a chairperson – the chairperson of the appointing body (d) in the case of ministers – the relevant presbytery chairperson (e) in the case of pastors – the relevant presbytery chairperson or chairperson of the Synod Standing Committee in the case of Synod appointments (f) in the case of presbytery ministers – the chairperson of the presbytery standing committee (g) in the case of the General Secretary or Moderator – the Synod Standing Committee (h) in the case of employees, contractors and volunteers – their direct supervisor or manager (i) in the case of advisors – the person within the UCAQId to whom the advisor reports under the terms of their appointment.



Term	Meaning
UCAQId (also called we or us or the Church)	means the functions and activities of the Uniting Church in Australia: <ul style="list-style-type: none"> • within and in relation to the bounds of the Queensland Synod; and • outside the bounds of the Queensland Synod (where managed by parts of the organisation located within the bounds of the Queensland Synod), under the <i>Uniting Church in Australia Act 1977 (Qld)</i> .

References & Related Documents

- Uniting Church in Australia Constitution
- Uniting Church in Australia Regulations
- Queensland Synod By-laws
- PRO-PEO-0002 Conflict of Interests & Gifts
- TOO-PEO-0002a Conflict of Interest Declaration
- TOO-PEO-0002b Conflict of Interest and Gift Register

Revisions & Reviews

#	Date	Reason	Author / Reviewer	Endorsed	Approved
1.0	01.05.14	Created	Governance & General Counsel	GNRC (#14.040)	SSC (#14.115)
2.0	07.09.17	Reviewed	Governance Secretary & Senior Legal Officer	GNRC (#17.054)	SSC (#17.191)
DUE	01.09.20	Review cycle – every 3 years			