



CONFLICT OF INTEREST POLICY and Procedures

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INTRODUCTION

Frankston District Netball Association Inc (FDNA) (including Peninsula Waves) is committed to high standards of ethical conduct and accordingly places importance on making clear any existing or potential conflict of interest.

PURPOSE

This policy has been developed to provide a framework for:

- Board Members, Staff, Sub Committees and/or other relevant parties ("member") in declaring conflicts of interest; and
- determining how to deal with situations of real or perceived conflict.

POLICY

A conflict of interest may occur if a financial or other interest or a relationship influences or appears to influence the ability of a member to exercise objectivity.

The Board places great importance on making clear any existing or potential conflicts of interest. All such conflicts of interest shall be declared by the member concerned. All financial conflicts of interest, as defined by statute, shall be documented in the Conflicts of Interest Register.

Where a member has an actual or perceived financial conflict of interest, as defined by statute, that member shall not initiate or take part in any discussion on that topic (either in the meeting or with other members before or after a meeting), unless expressly invited to do so by unanimous agreement by all other members present. Where a member has an actual or perceived financial conflict of interest, as defined by statute, that member shall not vote on that matter.

Where a member has an actual or perceived conflict of interest related to their relationship with an employee or volunteer of the organisation, or any other person having dealings with the organisation, that member shall not initiate or take part in any discussion on that topic (either in a meeting or with other members before or after a meeting), unless expressly authorised to do so by the Board or General Manager.

Where a member has an actual or perceived conflict of interest related to their relationship with an employee or volunteer of the organisation, or any other person having dealings with the organisation, that member shall not vote or officiate on that matter, unless expressly authorised to do so by the Board or General Manager.

A member and/or their family may have an actual or perceived conflict of interest related to their relationship with a supplier or sponsor or other provider of goods or services to the organisation. Any personal gain made by that relationship or perceived to have been related to that relationship may be considered to be a conflict of interest and should be declared.

The Board may further supplement the definition of conflict of interest from time to time if it so wishes and may specify the procedures to apply in such cases.

Members are not barred from engaging in business dealings with the organisation, provided that these are negotiated at arm's length without the participation of the member concerned.

A member who believes another member has an undeclared conflict of interest should specify in writing to the General Manager or Board the basis of this potential conflict.

Conflict of Interest Procedure

1. RESPONSIBILITIES

1. The President is responsible for bringing this Policy to the attention of prospective Board members.
2. The General Manager is responsible for bringing this policy to the attention of prospective employees and other volunteers.
3. The General Manager is responsible for declaring her/his/their own potential conflict of interest to the Board of Management before engaging any business or employee which may present a conflict
4. All Association members are responsible for respecting this policy.

2. PROCEDURES

- 2.1 Before any Member begins his or her service on a Committee (or other applicable role), he or she shall file with the General Manager a list of his or her principal business activities, as well as involvement with other businesses and/or organisations that might produce a conflict of interest. This information should be documented in the Conflict-of-Interest Declaration. In the case of the General Manager she/he/they should file this information with the Board of Management.
- 2.2 Members shall also file with the General Manager notification of any relationships between themselves and any employee or volunteer of the organisation, or any other person having dealings with the organisation that might reasonably give rise to the perception of a conflict of interest (e.g another netball Association, or competing sport).
- 2.3 Further, Members/Staff shall declare any conflicts of interest of which they become aware either at the start of the meeting concerned or when a relevant issue arises. The nature of this conflict of interest should be entered into the meeting minutes. The interest should also be documented in the Conflict-of-Interest Declaration. Conflict of Interest shall be a regular inclusion on all meeting Agendas.
- 2.4 Where a conflict of interest or potential conflict of interest, as defined below, is identified and/or registered, the member concerned shall leave the room as soon as that item comes up for discussion. The member concerned shall not

vote on that issue, nor initiate or take part in any discussion on that topic, unless expressly invited to do so by unanimous agreement by all other members involved. The member's abstinence should be recorded in the meeting minutes.

2.5 If a person declares themselves to have an existing or potential conflict of interest, confidentiality will be respected. If a person alleges that another person has a conflict of interest, whether existing or potential, and that person does not agree, and if the Board cannot resolve this allegation to the satisfaction of both parties, the matter shall be referred to an Executive Sub-Committee. This committee will make a recommendation to the Board as to what action should be taken.

2.6 Conflict of interest is defined as applying, where a member (or their club/team) stands to gain from any business dealings, programs or services of the Association, other than where:

- a) the member falls into the class of people benefited by the Association and the financial gain is of a nature common to other beneficiaries, or
- b) the person is an employee of the Association, and the financial gain is of a nature common to other employees.

Definitions

"Conflict of interest" is defined where:

- the immediate family or business connections of a member, or any person with whom the member is in a close relationship, stands to gain financially from any business dealings, programs or services of the Association,
- the member is an employee of the Association as well as representing an affiliate club,
- the member is also representing, affiliated with, or acting in the interests of a club or team, and the outcome of a decision may directly or indirectly impact that club or team,
- the member also has a role on the governing body of another organisation, where the activities of that other body may be in direct conflict or competition with the activities of FDNA.

"Close relationship" is defined as any relationship that might reasonably give rise to an apprehension that the member might place the interests of the other party above the interests of the Association.

RELATED DOCUMENTS & APPENDIX

- [Code of Conduct](#)
- Conflict of Interest Declaration

Appendix:

DECLARATION OF CONFLICT OF INTEREST

This declaration is to be used by the General Manager or Board of Management to record conflicts of interest identified by Board members and/or Staff.

Annual completed declarations (for ongoing conflicts) will be stored confidentially in accordance with Privacy Policy. Any new conflicts that arise will be stored with the minutes of each meeting.

After the beginning of the year and then opening of each meeting, all the members are asked to declare any potential conflict of interest arising out of any of the issues to be put to the meeting (add extra notes as required).

Date: / /

Name of Member _____

Issue of Conflict _____

- **Note the disclosure of the conflict of interest and the decision of the Committee on how to deal with this conflict. Note whether this is an ongoing conflict or a singular event.**

Record Response _____

- **Ensure that the minutes record the declaration of interests declared at this meeting**

Dated the _____ **day of** _____ **202**__

Signed

Position