

Screen Producers Australia Conflict of Interest Policy

1. Purpose

The purpose of this policy is to help Council Members of Screen Producers Australia to effectively identify, disclose and manage any actual, potential or perceived conflicts of interest in order to protect the integrity of Screen Producers Australia and manage risk.

2. Objective

The Screen Producers Australia Council (called the 'Council' in this policy) aims to ensure that Council Members are aware of their obligations to disclose any conflicts of interest that they may have, and to comply with this policy to ensure they effectively manage those conflicts of interest as representatives of Screen Producers Australia.

3. Scope

This policy applies to the Council Members of Screen Producers Australia.

4. Definition of conflicts of interests

A conflict of interest occurs when a person's personal interests conflict with their responsibility to act in the best interests of the Screen Producers Australia. Personal interests include direct interests as well as those of family, friends, or other organisations a person may be involved with or have an interest in (for example, as a shareholder or board member). It also includes a conflict between a Council Member's duty to Screen Producers Australia and another duty that the Council Member has (for example, to another organisation). A conflict of interest may be actual, potential or perceived and may be financial or non-financial.

These situations present the risk that a person will make a decision based on, or affected by, these influences, rather than in the best interests of Screen Producers Australia and must be managed accordingly.

5. Policy

This policy has been developed because conflicts of interest commonly arise, and do not need to present a problem to Screen Producers Australia if they are openly and effectively managed. It is the policy of the Screen Producers Australia as well as a responsibility of the board, that ethical, legal, financial or other conflicts of interest be avoided and that any such conflicts (where they do arise) do not conflict with the obligations to Screen Producers Australia.

Screen Producers Australia will manage conflicts of interest by requiring Council Members to:

- avoid conflicts of interest where possible
- identify and disclose any conflicts of interest
- carefully manage any conflicts of interest, and
- follow this policy and respond to any breaches.

5.1 Responsibility of the Council

The Council is responsible for:

- establishing a system for identifying, disclosing and managing conflicts of interest across the charity
- monitoring compliance with this policy, and
- reviewing this policy on an annual basis to ensure that the policy is operating effectively.

5.2 Identification and disclosure of conflicts of interest

Once an actual, potential or perceived conflict of interest is identified, it must be entered into Screen Producers Australia's register of interests, as well as being raised with the Council. The register of interests must be maintained by the CEO and record information related to a conflict of interest (including the nature and extent of the conflict of interest and any steps taken to address it).

6. Action required for management of conflicts of interest

6.1 Conflicts of interest of Council Members

Once the conflict of interest has been appropriately disclosed, the Council (excluding the Council Member disclosing and any other conflicted Council Member) must decide whether or not those conflicted Council Members should:

- vote on the matter (this is a minimum),
- participate in any debate, or
- be present in the room during the debate and the voting. In exceptional circumstances, such as where a conflict is very significant or likely to prevent a Council Member from regularly participating in discussions, it may be worth the Council considering whether it is appropriate for the person conflicted to resign from the Council.

6.2 What should be considered when deciding what action to take

- In deciding what approach to take, the Council will consider whether the conflict needs to be avoided or simply documented

- whether the conflict will realistically impair the disclosing person's capacity to impartially participate in decision-making
- alternative options to avoid the conflict
- Screen Producer Australia's objects and resources, and
- the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of, the charity. The approval of any action requires the agreement of at least a majority of the Council (excluding any conflicted Council Member/s) who are present and voting at the meeting. The action and result of the voting will be recorded in the minutes of the meeting and in the register of interests.

7. Compliance with this policy

If the Council has a reason to believe that a person subject to the policy has failed to comply with it, it will investigate the circumstances.

If it is found that this person has failed to disclose a conflict of interest, the Council may take action against them. This may include seeking to terminate their relationship with Screen Producers Australia.

If a person suspects that a Council Member has failed to disclose a conflict of interest, they must discuss with the person in question, notify the Council or the CEO.

Contacts

For questions about this policy, contact the Executive Assistant to the CEO.