

### DOCUMENT MANAGEMENT

| Version                          | Date           | Submitted By | Position                  | Signature |
|----------------------------------|----------------|--------------|---------------------------|-----------|
| 1.0                              | 18 August 2014 | Steve Burke  | Operations Manager        |           |
| Authorised By: Executive Council |                |              | Meeting Date: 9 June 2015 |           |

### REVISION HISTORY

| Version | Date | Additions/Amendments | Author | Reviewed By |
|---------|------|----------------------|--------|-------------|
|         |      |                      |        |             |

#### 1. PURPOSE

Declaring an interest means that Executive Councillors, Contractors and Committee Members can demonstrate that they or their relatives (including spouses or someone living with her/him as a spouse) will not benefit personally from decisions that they make or influence and acts as a safeguard against any suggestions of impropriety.

#### 2. BACKGROUND

ACIPC has been established as a company that functions using a combination of remunerated positions (contractors, and some designated committee positions) as well as a voluntary service capacity.

#### 3. SCOPE

3.1 This policy applies to, and is binding on, all members and people employed by or representing the college in any capacity; including volunteers, employees, contractors and consultants (hereafter called 'members and staff') who are employed by, or undertake activities on behalf of the College.

3.2 The exceptions are: Nil

#### 4. OBJECTIVES

Members and staff shall maintain impartiality without bias, favouritism or self-interest when making decisions and undertaking the work of the College.

The College has established a register to record the pecuniary interests of the Executive Council and Office bearers. Executive council members and other office bearers shall be required to list their interests including Employment, office, trade, profession or vocation, contracts, and any interests in companies and securities.

#### 5. ASSOCIATED DOCUMENT

This policy should be read with reference to G8 Conflict of Interest process and checklist.

#### 6. DEFINITIONS



|                         |   |
|-------------------------|---|
| EC:                     | Executive Council.  |
| College or The College: | Australasian College for Infection Prevention and Control (ACIPC).  |
| Pecuniary Interest:     | is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.  |
| Declarable interests:   | <ul style="list-style-type: none"><li>• Employment, office, trade, profession or vocation: Individuals should list every employment that must be declared for income tax purposes, including the nature of the job and employer.</li><li>• Contracts: Individuals should give details of any contract which has been made, or is proposed to be made, between the College and the individual or their partner or relatives (including spouses or someone living with them as a spouse) have a pecuniary interest. Details should include its duration, and the goods, services and works provided.</li><li>• Interests in companies and securities: Individuals should list all companies or other bodies that (to the person's knowledge) are active in the College's area [Note 1] and in which they have a substantial interest [Note2].<ul style="list-style-type: none"><li>○ [Note 1] A company or body is active in the College's area if it supplies services to a similar professional services/membership organisation operating in the health services arena.</li><li>○ [Note 2] An individual has a substantial interest if they own (or have a beneficial interest in) shares or other securities in the company with a nominal value of \$50,000 or more than one hundredth of the company's issued shares or securities.</li></ul></li></ul> |

## 7. LEGAL AND POLICY FRAMEWORK

### Register of pecuniary interest – guidance

It is important that members and staff both act impartially; and are seen to act impartially. All representatives of the college, members and staff have a responsibility to avoid any conflict between their business/ personal interests and affairs; and those of the College. There is a legal duty on all Executive Councillors and office bearers to declare any interest likely to lead to questions of bias or conflict of interest when considering any item of college business or decision making. All interests shall be declared at meetings and managed as instructed by policy G8 conflict of interest.

To help put this duty into practice, a governing body is required to establish and maintain a register of pecuniary interests indicating, of all individual office bearers (EC). This should identify, if appropriate, the company by whom they are employed, directorships, significant shareholdings or other appointments of influence within a business or other organisation which may have dealings with the College. They should include their own interest and those of any member of their immediate family (including partners) or other individuals known to them who may exert influence. The register sheet should be signed for each interest. The register will enable the college to demonstrate open and transparently that individuals in leadership do not benefit personally from decisions that they make.

### 8. POLICY STATEMENT

It is specifically the Operation Manager's responsibility to maintain the register of business interests. It is the responsibility of each individual EC member to declare pecuniary interests. The register is a record of interests; it is not a substitute for declaring a pecuniary interest or conflict of interest at meetings.

- Signed and dated annual declaration forms.
- EC members are required to notify of changes of circumstances related to pecuniary interests.
- The register shall be signed off annually by the president or designated representative.
- The completed register should be retained by the secretariat and made available on request to members of the governing body, the EC and or staff/contractors.
- There is often some confusion around what information needs to be declared on the Register of Pecuniary Interest Form and whether spouses/partners possible interest is relevant. It may be helpful to clarify the situation to EC with a covering letter when sending out the form and a suggested letter is attached. This letter also gives a bit more guidance for EC on how to fill in the form.

### 9. PROCEDURE

Guidance on declaration and management of conflicts of interest is also provided in the ACIPC Code of Ethics and Conduct Policy; and the ACIPC Conflict of Interest Policy.

Members and staff shall maintain impartiality without bias, favouritism or self-interest when making decisions and undertaking the work of the College.

Conflicts of interest can pose a major hazard to honest administration.

A conflict of interest situation can be actual or potential and arises when a person, who has a duty to act in the best interests of the college is presented with the opportunity or potential to 'use' that position in some way for their own personal benefit (or for the benefit of relatives or another organization).

It is vital that the membership has confidence that EC, members and staff will act impartially and without prejudice. The EC, staff and members in positions of authority are required to disclose conflicts of interest which arise in relation to their role. This disclosure must be open and honest about the nature and extent of the interest, and its relation to the affairs of the College. Once a conflict of interest has been disclosed the person will withdraw from discussion and not participate in the decision-making about that issue.

If there is a conflict of interest between the private interest and official duties of an EC member, member or staff, the matter must be resolved in favour of the College.

Pecuniary interests shall be managed as directed in the ACIPC Conflict of Interest process and checklist



**APPENDIX 1**

**SUGGESTED ACCOMPANYING LETTER TO EXECUTIVE COUNCILLORS**

Dear Councillor

Register of Executive Councillor Business Interests

Please find attached the Register of College EC Business Interests form. I would appreciate it if you would complete this form and return to me at your earliest convenience.

This is a statutory document for the College and you should give careful consideration to it when completing it. It is important that Executive Councillors and staff/contractors not only act impartially, but are also seen to act impartially. The EC and College staff/contractors have a responsibility to avoid any conflict between their business and personal interests and affairs and those of the College. There is a legal duty on all Executive Councillors to declare an interest likely to lead to questions of bias when considering any item of business at a meeting and for the governor concerned to withdraw, if necessary, whilst the matter is considered.

To help put this duty into practice, a governing body is required to establish and maintain a register of pecuniary interests indicating, for all Executive Councillors individually and the Executive Council collectively, any business interests. This should include, if appropriate, the company by whom they are employed, directorships, significant shareholdings or other appointments of influence within a business or other organisation which may have dealings with the College. They should include their own interest and those of any member of their immediate family (including partners) or other individuals known to them who may exert influence. The register sheet should be signed and dated by the Councillor. The register will enable Executive Councillors to demonstrate that in spending member's money they do not benefit personally from decisions that they make.

The register is reviewed annually, but Executive Councillors are reminded that they should declare any changes as and when they occur.

If you require any assistance with this, please do not hesitate to contact me.

Yours sincerely

Operations Manager



**APPENDIX 2**

Model Declaration of pecuniary or business interests

**DECLARATION OF PECUNIARY OR BUSINESS INTERESTS**

**DECLARATION BY A MEMBER OF THE EXECUTIVE COUNCIL OR CONTRACTOR OF THE COLLEGE INVOLVED IN THE CONTRACT OR PROCUREMENT PROCESS**

Complete the following details.

Your name.....

Role within the College .....

**Statement**

I have read the document entitled 'ACIPC pecuniary interest register. I declare that neither myself, my partner, nor a relative (including his/her spouse or someone treated as his/her spouse) have any pecuniary or business interest(s) which may conflict with my duties as an Executive Councillor or Contractor, except as listed below.

In the event that there are no interests to declare, please tick the box 'nothing to declare'.

I agree that in the event of any further interest(s) arising after making this declaration, I will declare to the Executive Council any such interest(s) and will complete and submit a new Declaration form.

1.

2.

3.

[Please continue on a separate sheet if necessary].

I have nothing to declare

Signed: .....

Date: .....

Print Name: .....



## APPENDIX 3

### FORM - Register of Business Interests for College Executive Councillors

Name of Councillor \_\_\_\_\_ Date of Appointment \_\_\_\_\_ Date of Resignation/Retirement \_\_\_\_\_

I have no Interests to Declare: \_\_\_\_\_ (signed) \_\_\_\_\_ (print Name) \_\_\_\_\_ (date)

**Notes: 1. Use the notes column to indicate relationships. 2. One page for each Councillor or more if required. 3. Make all entries in ink.**

| Name of Organisation | Nature of Interest | Date from which involved | Signature | Date of signature | Date interest ceased | Signature | Date of signature | Notes |
|----------------------|--------------------|--------------------------|-----------|-------------------|----------------------|-----------|-------------------|-------|
|                      |                    |                          |           |                   |                      |           |                   |       |
|                      |                    |                          |           |                   |                      |           |                   |       |
|                      |                    |                          |           |                   |                      |           |                   |       |
|                      |                    |                          |           |                   |                      |           |                   |       |

Executive Councillors are reminded that completion of this form does not remove their responsibility to disclose any interest including those listed on this register during meetings dealing with any issues related to the interest.

Record of Reviews (Operations Manager/Secretariat to distribute amendment and signature annually)

|          |  |  |  |  |  |  |  |  |  |
|----------|--|--|--|--|--|--|--|--|--|
| Date     |  |  |  |  |  |  |  |  |  |
| Initials |  |  |  |  |  |  |  |  |  |