



Pickleball Australia Association

Conflict of Interest Policy

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1. Purpose

The purpose of this policy is to help board members of Pickleball Australia Association Limited (Pickleball Australia) to effectively identify, disclose and manage any actual, potential or perceived conflicts of interest in order to protect the integrity of Pickleball Australia and manage risk. This policy also applies to members of any sub-committee formed by the Board.

2. Objective

The Pickleball Australia Board aims to ensure that board members are aware of their obligation to disclose any conflicts of interest that may have, and to comply with this policy to ensure they effectively manage those conflicts of interest.

3. Scope

This policy applies to the board members of Pickleball Australia and persons invited to sub-committees.

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 Pickleball 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).

It also includes a conflict between a board member's duty to Pickleball Australia and another duty that the board 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 Pickleball Australia.

Therefore these situations must be managed accordingly.

Examples of conflicts of interest – actual, potential or perceived – include:

- Pickleball Australia seeks to purchase software. Board Member X knows Software Company Y can offer the Pickleball Australia 'the best deal'. The deal is the best on offer, however, Board Member X has done business with Company Y in the past and knows s/he will get a better deal on their next private transaction if Pickleball Australia purchases software from Software Company Y. Regardless of whether Software Company Y provides the best deal, Board Member X has a direct interest that, at the very least, presents a potential or perceived conflict which should be disclosed.
- Pickleball Australia is considering hiring a paid executive officer. Board Member X's daughter applies for the job. This presents a conflict of interest for Board Member X as their duty to the Pickleball Australia may come into conflict with the interest of their family member.

5. Policy

This policy has been developed to address conflicts of interest affecting Pickleball Australia.

Conflicts of interest occur relatively often, and they do not need to be a problem for Pickleball Australia as long as they are well managed.

It is the policy of Pickleball 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) are appropriately managed.

Pickleball Australia will manage conflicts of interest by requiring board 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 board

The board is responsible for:

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

Board members should complete a conflict of interest form (Attachment A) if ever they have conflicts to disclose.

Additionally, the first substantive agenda item on the agenda of each Board meeting is to discuss conflicts of interest. Any conflicts relevant to the meeting or new to the board member as of that meeting should be disclosed. Any board member disclosing a conflict that they have not previously disclosed through a written conflict of interest form (Attachment A), should submit a completed Pickleball Australia conflict of interest disclosure form (Attachment A) as soon as practicable after the meeting.

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 Pickleball Australia's register of interests (Attachment B), as well as being raised with the board and recorded in the relevant minutes of the meeting.

The register of interests (Attachment B) must be maintained by the Secretary (or other nominated person in the case of a sub-committee). The register must 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).

5.3. Confidentiality of disclosures

To ensure appropriate confidentiality, the Pickleball Australia register of interests will be available only to the Chair and the Secretary. However, all disclosed conflicts will be disclosed to the Board at the meeting following the disclosure and captured in the meeting minutes.

6. Action required to manage conflicts of interest

6.1. Conflicts of interest of board members

Once the conflict of interest has been appropriately disclosed, for most general disclosures, the board member who has made the disclosure won't be required to recuse themselves from board discussion.

For specific conflicts (ie. a conflict that relates to a specific agenda item or discussion), the board (excluding the board member who has made the disclosure, as well as any other conflicted board member) must decide whether or not those conflicted board members should:

- vote on the matter;
- 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 board member from regularly participating in discussions, it may be worth the board considering if it is appropriate for the person conflicted to resign from the board.

6.2. What should be considered when deciding what action to take

In deciding what approach to take, the board 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;
- Pickleball 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 a majority of the board (excluding any conflicted board 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 (Attachment B).

7. Compliance with this policy

If the board has a reason to believe that a person subject to the policy has failed to comply with it, the Board Chair will assign a Director to investigate the circumstances.

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

If a person suspects that a board member has failed to disclose a conflict of interest, they must discuss with the relevant board member whether they believe they have an actual or perceived conflict of interest. If the person continues to suspect there has been a failure of disclosure they should raise the matter with the Chair. If the matter involves the Chair, the person should discuss with the Secretary.

8. Contacts

For questions about this policy, contact the Chair or Secretary at director.3@pickleballaus.org and director.7@pickleballaus.org respectively.

Conflict of Interest Disclosure Form



Please complete this form if you believe you have a conflict of interest to disclose. Please read the Pickleball Australia Conflict of Interest Policy for further information.

PERSONAL DETAILS

NAME: [Click here to enter text.](#)

POSITION: [Click here to enter text.](#)

PHONE: [Click here to enter text.](#) EMAIL: [Click here to enter text.](#)

DISCLOSURE DETAILS

The actual, potential or perceived conflict of interest relates to: *(tick all appropriate box/s)*

- | | |
|--|---|
| <input type="checkbox"/> Relationship with family or friends | <input type="checkbox"/> Procurement of goods and services |
| <input type="checkbox"/> Outside work activities (paid/unpaid) | <input type="checkbox"/> Relationship with external parties |
| <input type="checkbox"/> Financial interest | <input type="checkbox"/> Provision of external consultancy services |
| <input type="checkbox"/> Gifts/benefits | <input type="checkbox"/> Other (please provide details below) |

The following actual, potential or perceived conflict of interest has been identified. *(please insert all relevant details)*
[Click here to enter text.](#)

I intend to mitigate the conflict of interest with the following mitigation (if any). *(please insert all relevant details)*
[Click here to enter text.](#)

BOARD MEMBER'S DECLARATION

To the best of my knowledge and belief any actual, perceived or potential conflicts between my duties as a Board Member and my private and/or business interests have been fully disclosed in this form in accordance with the requirements of the Pickleball Australia Conflict of Interest Policy.

SIGNATURE:

DATE:

CHAIR/SECRETARY

I acknowledge I have been made aware of this disclosure and am satisfied, taking into account any mitigation to be put in place, that any potential conflict is being appropriately managed.

NAME: [Click here to enter text.](#)

SIGNATURE:

DATE:



Pickleball Australia
Association

Register of interests

Name of board member	Description of interest	Date of disclosure	Steps taken by board for dealing with the conflict	Board member actions to address the conflict