



BADMINTON AUSTRALIA CONFLICT OF INTEREST POLICY

Title:	Badminton Australia Conflict of Interest Policy
Type of Policy	Governance
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Responsible Person:	Chair, Governance Committee
Authority	Approved by the Board

1. Purpose

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

2. Objective

Badminton Australia aims to ensure that Badminton Australia personnel 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 Badminton Australia.

This Policy aligns with the Badminton Australia Constitution (Section 18.10 Conflict of Interest, Section 18.11 Disclosure of Interest, Section 18.12 General Disclosure and Section 18.13 Recording Disclosures) and Badminton Australia Board Charter.

3. Scope

This policy applies to Badminton Australia personnel, including:

- Badminton Australia Board of Directors,
- Badminton Australia paid employees, coaches, volunteers or contractors,
- All persons on any Badminton Australia committee, sub-committee, working group or selection panel (referred to as committees in this policy)

4. Definition of conflicts of interest

A conflict of interest occurs when one's personal interests conflict with their responsibility to act in the best interests of Badminton 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 person's duty to Badminton Australia and another duty that the person has (for example, to another board). 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 Badminton 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 Badminton Australia if they are openly and effectively managed. It is the policy of Badminton Australia as well as a responsibility of the board, Chief Executive Officer and committees, 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 Badminton Australia.

Badminton Australia will manage conflicts of interest by requiring Badminton Australia personnel 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, Chief Executive Officer and Committees

The board, Chief Executive Officer and committees are responsible for:

- establishing a system for identifying, disclosing, and managing conflicts of interest
- monitoring compliance with this policy; and
- reviewing this policy regularly to ensure it is operating effectively

Badminton Australia must ensure that its personnel are aware of this Policy and that they disclose any actual or perceived material conflicts of interests as required by this policy.

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 Badminton Australia's Conflict of Interest Register, as well as being raised with the board, Chief Executive Officer or committee. The register must be maintained by the Chief Executive Officer 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

Once a conflict of interest has been appropriately disclosed, the board, Chief Executive Officer or committee (excluding the person disclosing and any other conflicted person) must decide whether or not the conflicted person should:

- vote / decide on the matter (this is a minimum)
- participate in any debate or discussion; or
- be present in the room during the debate and the voting and/or decision making

In exceptional circumstances, such as where a conflict is very significant or likely to prevent a person from regularly participating in discussions, it may be worth the board, Chief Executive Officer or committee considering whether it is appropriate for the person conflicted to eliminate the conflict of interest or resign from the board or committee.

6.2 What should be considered when deciding what action to take

In deciding what approach to take, the board, Chief Executive Officer or committee 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
- the Badminton Australia objects and resources; and
- the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of, Badminton Australia.

The approval of any action requires the agreement of at least a majority of the board or committee (excluding any conflicted person/s) who are present and voting and/or decision making at the meeting. The action and result of the voting or decision will be recorded in the minutes of the meeting and in the register.

7. Compliance with this policy

If a person suspects that a person has failed to disclose a conflict of interest, they must notify the Chair or Chief Executive Officer who will contact the Directors or committee members to discuss the alleged breach of policy.

If the board, Chief Executive Officer or committee has a reason to believe that a person subject to the policy has failed to comply with it, it will investigate the circumstances.

Where this relates to a person employed, volunteering or contracted by Badminton Australia or on a committee, the matter can be referred to the Chief Executive for determination. Where a satisfactory outcome cannot be achieved the matter may be referred to the Board.

If it is found that this person has failed to disclose a conflict of interest, the board, Chief Executive Officer or committee may take action against them. This may include seeking to terminate their position with Badminton Australia.