



Conflict of interest policy

For review by the Executive Committee: by July 2023

1. INTRODUCTION

The purpose of this policy is to guide the Squash South Africa (SSA) Board on how to identify, declare and address potential, perceived or real conflicts to perform their governance duties in an efficient and timely manner. However, this policy cannot describe and document all conflicts of interest and its application may have limitations at times.

2. PURPOSE

This policy will assist the Board, commission, committee members and employees to carry out their governance responsibilities in an honest, open and ethical manner and in compliance with the law and to avoid or limit any real or perceived conflicts of interest.

3. SCOPE

- 3.1 This policy applies to all Board commission, committee members and employees.
- 3.2 Board members are individually and collectively expected to maintain high ethical standards in the best interest of the SSA.
- 3.3 In relation to employees:
 - 3.3.1 a similar conflict of interest form will be completed and should a conflict exist, the employee will not be involved in any decision related to a conflict
 - 3.3.2 should a conflict not be declared but is discovered after the event, the employee may face disciplinary action.

4. DEFINITIONS

- 4.1 A conflict of interest arises when a Board commission, committee member or employee:
 - 4.1.1 has or is perceived to have a personal, family, or business interest or
 - 4.1.2 is involved in other community or professional activities that might benefit from a decision in which he/she is involved in making or
 - 4.1.3 is able to influence those making it and/or
 - 4.1.4 is involved with a competing or associated organisation that may result in a divided/limited loyalty in the context of making a decision.
- 4.2 Voting for or against, arguing for or against a particular decision may influence a decision.
- 4.3 Limiting the options being considered may also influence the scope of the conflict of interest.
- 4.4 Examples of a conflict of interest are where a Board commission, committee member or employee:
 - 4.4.1 has a personal or business relationship with SSA as a supplier of goods or services or as a landowner or tenant
 - 4.4.1.1 is directly related to a staff member employed by SSA

- 4.4.1.2 is related to a major donor or funder
 - 4.4.1.3 is on the Board of a not-for-profit entity with which SSA is contracting
 - 4.4.1.4 is on the Board of another not-for-profit entity with which SSA competes for funds or donations
 - 4.4.1.5 has a competing professional duty (such as a journalist's duty to protect the source of information)
 - 4.4.1.6 uses confidential information acquired as a result of their position within SSA to promote their private interests
 - 4.4.1.7 has received a gift or monetary/non-monetary benefit from someone who could benefit from a particular decision.
- 4.5 Conflicts of interest are often unavoidable and should not prevent an individual from serving as a Board commission, committee member or employee unless the extent of the interest is so significant that the potential for undue influence is present in situations which can potentially damage the reputation of SSA.
- 4.6 When deciding whether a potential conflict of interest should be disclosed, the situation should be considered from an external perspective and if in doubt, the Chair shall err on the side of transparency and disclosure.
- 4.7 Conflicts may be potential real or perceived and may be financial and non-financial.

5. DISCLOSURE

- 5.1 Each Board commission, committee member and employee is required to review this policy and declare any and every potential, perceived and real conflict annually.
- 5.2 If the interest is anticipated, it should be declared prior to their nomination or election, otherwise they are obliged to disclose them when the circumstances arise.
- 5.3 Interests will be recorded on the register of interests, which will be maintained by the National Officer and which will be accessible by the Board, the Chair and other appropriate people in SSA.
- 5.4 The information will be processed in accordance with SSA's privacy policy to ensure that Board commission, committee members and employees act in the best interests of SSA.

6. RIGHTS

Board members have a duty to declare a conflict of interest and recuse themselves from participating in any discussion related to the conflict and voting on any matter pertaining to the conflict.

7. PROCESS

- 7.1 If any Board commission, committee member or employee feels that another member may have a conflict of interest, he/she is required to raise that potential or perceived conflict at the time or at the subsequent meeting.
- 7.2 In the event of a conflict of interest issue being brought to the attention of the Board commission, committee, the following procedure applies:
 - 7.2.1 The Chair, or nominee, and National Officer, where neither is involved in the conflict of interest should establish if there is a conflict of interest, or the perception of one, and determine what actions are necessary to address the situation.
 - 7.2.2 If there is evidence of a conflict of interest, the Chair will ask/write to the individual to request him/her to provide an explanation at the next meeting giving him/her reasonable notice to do so.
 - 7.2.3 The explanation can be communicated orally or in writing or both.
 - 7.2.4 Once the explanation has been given, the individual should recuse him/herself to enable the Board commission or committee to consider the matter while remaining available for any clarity required.
 - 7.2.5 The Board commission or committee may take any of the following actions, depending on the alleged conflict of interest:
 - 7.2.5.1 Note the conflict in the minutes and take no action
 - 7.2.5.2 Advise the individual in writing that there has been a conflict of interest which has been in breach of the policy, but no further action will be taken, but that a further breach could lead to disciplinary action
 - 7.2.5.3 Ask for the individual's resignation
 - 7.2.5.4 Dismiss the individual in accordance with SSA's Constitution.
- 7.3 The minutes must reflect when a member discloses that he/she has a conflict of interest and record the discussions in relation to the conflict and how it was managed including when the interested member left and returned to the room.

8. EFFECTIVE DATE

The policy is effective from 21 July 2021 and will be updated every two years.