



Non-Legal Practice Conflict of Interest Policy

Amendment Log

Change	Section	Date	Responsible
Definition section added and definition of Volunteer included	Definitions	July 2024	CC
Reference to EDO disclosure form added	Procedures, 1.1.2 and 1.2.3.4	July 2024	CC
Amended list of Related EDO Documents and Legislation and Requirements	Related EDO Documents, and Related Legislation and Requirements	July 2024	CC
Additional reference to CoC added	Purpose	July 2024	CC

Introduction

Ensuring the integrity of decision and actions taken by the Environmental Defenders Office Ltd (**EDO**) is crucial to our maintaining our good standing with all of our key stakeholders, including the legal profession, governments, partners and the communities we work with and represent. EDO is committed to ensuring that actions and decisions taken at all levels in the organisation are informed, objective and fair and not affected by unmanaged conflicts.

A conflict of interest can seriously affect the integrity of the work of the EDO and may affect the way a person acts, decisions they make or the way they vote on group decisions.

EDO, through this policy and our practices, ensures that conflicts of interest are identified and actions are taken to effectively manage identified conflicts.

Every employee, Volunteer, and Board Member (**collectively “Our Team”**) has a responsibility to effectively manage any potential, actual or perceived conflicts of interest which might arise during the course of their involvement with the EDO.

Purpose

The purpose of this policy is to outline the EDO’s approach to identifying and managing conflicts of interest, however it is important to note that the obligations around conflicts of interest are to be read as operating alongside the commitments contained within EDO’s Code of Conduct.

Specifically, the Non-Legal Practice Conflict of Interest policy seeks to ensure:

- that Our Team have guidance on how to identify conflicts of interest.
- That Our Team have guidance on how to manage conflicts of interest.
- That our Team understand their responsibilities should a potential conflict or perceived conflict of interest arise.

As a result of this understanding,

- The integrity of EDO’s decision-making process and business judgements will be protected.

- Our clients and funders will have confidence in our integrity.
- The reputation of Our Team will be protected.

Scope

This policy applies to all members of Our Team.

Definitions

Conflict of Interest: when a personal interest or relationship is in conflict with – or could be seen to be in conflict with the responsibility to act in the best interest of the organisation. Conflicts of interest can be actual, potential or perceived, and may be financial or non-financial.

Personal Interests: can refer to an individual's own direct interests, but also the interests of an individual's family, friends and/or other organisations that they are involved in.

Policy Principles

- Conflicts of interest are common, and they do not need to present a problem as long as they are openly and effectively managed.
- Ethical, legal, financial and other conflicts of interest should be avoided, but where they do arise they should not conflict with obligations to EDO.
- All employees, Volunteers and Board members are required to act impartially and without prejudice.
- All employees, Volunteers and Board members are required to declare any potential or actual conflict of interest, which could be caused through relationships and/or other mechanisms.
- Employees, Volunteers and Board members do not accept gifts or benefits that could, or could be perceived to, influence a decision.

Procedures

1. Identification and declaration of conflicts of interest

1.1. New Employment/Appointment or Changes of Duties

1.1.1. Where relevant, upon or before Board election, hiring or appointment, employees, Volunteers, and Board members will make a full written disclosure of interests, relationships and holdings that could potentially result in a conflict of interest.

1.1.2. That disclosure may be by way of filling out a relevant EDO disclosure form.

1.1.3. This written disclosure will be kept on file and will be updated as appropriate.

1.1.4. All significant contracts with external consultants being engaged by EDO should include a declaration that no conflict of interest exists.

1.2. During Employment/Appointment

1.2.1. During meetings, activities or matters, Our Team will disclose any interests in a transaction or decision where they, their family or significant other, employer, or close associates will receive a benefit or gain.

1.2.2. Any disclosures must be documented.

1.2.3. After disclosure, employees, Volunteers, and Board members understand that they may be asked to:

1.2.3.1. Contribute to the discussion but abstain from voting or taking part in a decision on the matter;

1.2.3.2. Observe but not take part in the discussion or decision making; or

1.2.3.3. Leave the meeting during the discussion and/or decision on the matter.

1.2.3.4. Alternatively, they might be required to take such action as is necessary to eliminate or manage the conflict or the perception of conflict including for example filling out a relevant EDO disclosure form, or action under the Information Barrier Policy or Legal Conflict of Interest Policy.

2. Private or Professional Pursuits Outside of EDO Employment/Appointment

2.1. EDO supports Our Team becoming involved in community activities and volunteer work in their non-work lives.

2.2. EDO recognises that members of Our Team pursuing interests or activities (paid or voluntary) in their non-work time, while not in direct conflict with EDO interests, could have a negative impact on EDO interests were they to be associated with the organisation.

2.3. In these cases, Our Team must take all necessary steps to prevent any real or perceived association between the non-work pursuit and their employment with EDO.

3. Participation in Protests and Demonstrations During Work Time

3.1. EDO recognises the right to protest and demonstrate is a fundamental tenant of our democracy and an important tool for questioning power and achieving change. On occasions, EDO may permit Our Team to attend such events.

3.2. Generally, however, when a member of Our Team wishes to participate in protests and demonstrations they should do so:

3.2.1. on personal time, i.e. Flexi-time, annual leave or a lunch break. No remuneration or recognition of hours will be provided for time spent in said activities.

3.2.2. taking care to prevent any real or perceived association between the advocacy activity and their employment with EDO.

Related legislation and Compliance

ACNC Governance Standards

ACFID Code of Conduct, Principle 7

CLCA Risk Management Guide

Related EDO Documents

Staff and Volunteer Code of Conduct

Volunteer and Placement Policy

Register of Legal and non-Legal Conflicts

Practice Management Guide

Procurement Policy (2022)

Legal Conflict of Interest Policy

Information Barrier Policy

Approval, Implementation and Review	
Policy Owner	CEO
Policy Approver:	CEO
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Approved by:	CEO
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