



# SOUTHERN GAUTENG HOCKEY ASSOCIATION

## CONFLICT OF INTEREST POLICY

MAY 2023

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## 1. INTRODUCTION

- 1.1. **Purpose:** The purpose of this Conflict of Interest Policy (**policy**) is to protect SGHA's interests when it is considering taking an action or entering into a transaction that might benefit the private interests of an Exco member or an SGHA official (**key person**). SGHA officials include any party providing services to SGHA or taking responsibility for a SGHA role or function, whether they are remunerated or offer their services for free.
- 1.2. **Why is a policy necessary?** As a non-profit, SGHA is accountable to clubs, affiliates, SAHA, government agencies and members of the public for responsible and proper use of its resources. Key persons have a duty to act in SGHA's best interests and may not use their positions for their own financial or personal benefit.
- 1.3. Conflicts of interest must be taken very seriously since they can damage SGHA's reputation and could expose both SGHA and affiliated individuals to legal liability if not managed appropriately. Even the appearance of a conflict of interest should be avoided, as it could undermine public support for SGHA.

## 2. IDENTIFYING CONFLICTS OF INTEREST

- 2.1. **What is a conflict of interest?** A potential conflict of interest arises when a key person or that person's **relative** or business (a) stands to gain a financial benefit from an action SGHA takes or a transaction into which SGHA enters; or (b) has another interest that impairs, or could be seen to impair, the independence or objectivity of the key person in discharging their duties to SGHA.
- 2.2. A relative means a person's spouse or domestic partner, sibling (whole or half), children (natural or adopted), grandchildren, great-grandchildren, and spouses or domestic partners of brothers, sisters, children, grandchildren and great-grandchildren.
- 2.3. **What are some examples of potential conflicts of interest?** It is impossible to list all the possible circumstances that could present conflicts of interest. Potential conflicts of interest include situations in which a key person or that key person's relative or business:
  - 2.3.1. is a member of an SGHA club;
  - 2.3.2. has a financial interest in the transaction or decision;
  - 2.3.3. has an ownership or investment interest in any third party that SGHA deals with or is considering dealing with;
  - 2.3.4. serves on the board of, participates in the management of, or is otherwise employed by or volunteers with any third party that SGHA deals with or is considering dealing with;
  - 2.3.5. will be remunerated by SGHA for services rendered;
  - 2.3.6. receives or may receive compensation or other benefits in connection with a transaction into which SGHA enters;
  - 2.3.7. receives or may receive personal gifts or loans from third parties dealing with SGHA;
  - 2.3.8. serves on the board of directors of another organisation that is competing with SGHA;
  - 2.3.9. has a close personal or business relationship with a participant in a transaction being considered by SGHA;
  - 2.3.10. would like to pursue a transaction being considered by SGHA for their personal benefit.
- 2.4. In situations where you are uncertain, err on the side of caution and disclose the potential conflict as set forth in Section 3 of this policy.

### 3. DISCLOSING POTENTIAL CONFLICTS OF INTEREST

- 3.1. You must disclose to the best of your knowledge all potential conflicts of interest as soon as you become aware of them to colleagues or the relevant decision making forum before any actions involving the potential conflict are taken. Consider, following up the verbal disclosure with a written submission, disclosing all material facts.
- 3.2. A decision making forum includes, inter alia, Exco and Council deliberations, any sub-committee or working group set up to fulfil a function or complete a project.
- 3.3. Any decisions made regarding the selection of players for SGHA representative teams is managed by SGHA's High Performance Selection Policy.

### 4. DETERMINING WHETHER A CONFLICT OF INTEREST EXISTS

- 4.1. After there has been disclosure of a potential conflict and after gathering any relevant information from the concerned key person, the relevant decision making forum (those present) shall determine whether there is a conflict of interest. The key person shall not be present for deliberation or vote on the matter and may not attempt to influence improperly the determination of whether a conflict of interest exists.
- 4.2. In determining whether a conflict of interest exists, the decision making forum shall consider whether the potential conflict of interest would cause a transaction entered into or decision made by SGHA to raise questions of bias, inappropriate use of SGHA's assets, or any other impropriety.

### 5. MANAGING A CONFLICT OF INTEREST

- 5.1. Once a conflict of interest has been decided, the conflicted person shall not be present during the discussion or vote on the matter and must not attempt to influence improperly the deliberation or vote.
- 5.2. The decision making forum will always do their best to ensure that a decision or transaction is fair, reasonable and in SGHA's best interest at the time of deliberation.
- 5.3. SGHA may not make a loan to a key person.

### 6. MINUTES AND DOCUMENTATION

- 6.1. Conflict of interest deliberations must be documented or minuted and be available for review if there are concerns raised about decisions made. The minutes or documentation must include at a minimum:
  - 6.1.1. the name of the interested party and the nature of the interest;
  - 6.1.2. the decision as to whether the interest presented a conflict of interest;
  - 6.1.3. any alternatives to a proposed contract or transaction considered by the decision making forum; and
  - 6.1.4. if the transaction was approved, the basis for the approval.