

Conflict of Interest Policy

Date policy was made

27 November 2017

Commencement date of this version

19 September 2023

Application

This policy applies to all GRNSW Workers at all times while they are performing work for GRNSW and, unless otherwise stated, when they are not performing work for GRNSW. GRNSW has in place a separate Code of Conduct for its directors, consistent with the requirements of the Greyhound Racing Act 2017 (NSW).

Purpose

Conflicts of interest can arise in many situations. It is not unusual or wrong if a conflict of interest arises in the course of your work at GRNSW. Actual, potential or reasonably perceived conflicts of interest may arise in decision making or in actions, and need to be managed.

The purpose of this policy is to:

- a) support GRNSW Workers in the exercise of their duties with integrity by assisting them to identify, disclose and manage conflicts of interest in a transparent manner in order to minimise risk (including reputational risk) to GRNSW; protect the interests of the industry; and avoid legal issues;
- b) assist in the avoidance of conflicts of interest where possible, and to provide measures which may be used for the appropriate management of issues or situations where conflicts of interest arise.

Background

One of the aims of GRNSW's Code of Conduct is to maintain trust and confidence in the integrity and professionalism of our staff and the facilities and services that make up the greyhound racing experience. Acting ethically with integrity requires all persons engaged with or undertaking business with GRNSW to identify and appropriately manage conflicts of interest.

The object of this Policy is to assist employees and others engaged in business with GRNSW to identify, disclose and manage actual, reasonably perceived or potential conflicts of interests between their interests and their duty and responsibilities to GRNSW.

Policy Statement

1. What Is A Conflict Of Interest

In a work context, a conflict of interest can arise where a GRNSW Worker could be influenced or perceived to be influenced by a competing interest when making official decisions or carrying out their job.

A competing interest may arise through personal or private interests (e.g. friendships and memberships), or through separate professional or business interests (e.g. secondary employment).

Competing interests may be pecuniary or non-pecuniary.

- **Pecuniary:** a pecuniary interest refers to an actual or potential financial gain or loss for the person, their family, friends or close associates.
- **Non-pecuniary:** a non-pecuniary interest refers to an interest that is not financial or monetary but arises from such things as personal relationships, beliefs or involvement in social, cultural, religious or sporting activities.

A conflict of interest may be actual, perceived or potential.

- **Actual** – where a person's official duties may be improperly influenced by a competing interest.
- **Perceived or Apparent** – where it could reasonably be perceived by a disinterested third party that a person's competing interest could improperly influence the performance of their official duties, whether or not this is the fact in the case.
- **Potential** – Where a person's competing interests have the potential to conflict with their official duties in the future.

Industry participants and the wider community are entitled to expect that GRNSW Workers at all levels perform their duties in accordance with the GRNSW Code of Conduct and that the decisions they make are not affected by self-interest, private affiliations (whether based on friendship or animosity), or the likelihood of personal gain or loss.

2. Identifying A Conflict Of Interest

Just because a person has other interests outside work does not automatically mean that there will be a conflict of interest. The key test is whether in carrying out their job, the individual could be influenced, or appear to be influenced by that other interest.

A conflict of interest will arise where:

- a GRNSW Worker engages in activities or advances a person's interests at the expense of GRNSW's interests or the interest of other GRNSW Workers and the industry; or
- it is likely that a GRNSW Worker could be influenced, or could be reasonably perceived to be influenced, by a personal interest (financial or non-financial) in carrying out or in connection with their duty to GRNSW.

In these circumstances, the GRNSW Worker must immediately declare the conflict to their General Manager and the Chief Executive Officer and take immediate steps to resolve the conflict of interest.

GRNSW Workers are responsible for identifying and declaring their own conflicts of interest including actual, potential or perceived conflicts. The following questions will help in making an assessment of whether a conflict of interest exists:

- Do I, a relative, friend or associate stand to gain/lose financially from a GRNSW decision or action on this matter?
- Am I in a position to influence GRNSW decision-making about a matter related to a private/ personal interest?
- Have I received a benefit or hospitality from someone who stands to lose or gain from the decision or action?
- Am I a member of an association, club or professional organisation, or do I have particular ties or affiliations with organisations or individuals who stand to lose or gain from GRNSW's consideration of the matter?
- If I do participate in assessment or decision-making, would I be happy for my colleagues and the public to be aware of any association or connection?
- Would a fair and reasonable person perceive that I was influenced by personal interest in performing my job at GRNSW?
- Am I confident in my ability to act impartially and in the interest of GRNSW?
- Do I need to seek advice or discuss the matter with an objective third party?
- Do I need to declare a matter to my manager?

3. Situations Where Actual Or Potential Conflicts Of Interest May Exist

Conflicts of interest are inevitable in modern organisations. Having a conflict of interest is not necessarily a problem; it is how it is managed with that is important.

The following are situations where a conflict of interest or potential for conflict of interest may exist and should therefore be disclosed and managed:

3.1 Personal and Family Relationships Between GRNSW Workers

Where GRNSW Workers are working with family members or with persons with whom they develop close personal relationships or such relationships exist with prospective GRNSW Workers, they must be aware that this has the potential to create a conflict of interest if one GRNSW Worker is:

- involved in a decision relating to the selection, appointment or promotion of another;
- in a supervisory relationship to another and is responsible for employment related decisions. Such decisions could include the provision of opportunities and resource allocation for research, conferences and staff training and development; and referee reports, or annual performance development reviews; or

- sitting on a recruitment selection panel where an applicant is a friend or relative. GRNSW is committed to fostering a professional work environment, demonstrating fair and impartial treatment for everyone. Close personal relationships are not grounds alone for refusing promotional, transfer or other employment opportunities for work allocation. Under anti-discrimination legislation it is unlawful to disadvantage someone because of their marital status or relationships.

Action to be taken: The GRNSW Worker must disclose any close personal and family relationship between GRNSW Workers by completing a GRNSW Staff Declaration of Interests form and submitting it to the Head of People, Culture and Training

3.2 Personal and Family Relationships Between GRNSW Workers and Industry Participants

GRNSW Workers have an obligation to GRNSW and to greyhound racing industry participants to be fair, objective and consistent in the course of their duties. A personal or family relationship between a GRNSW Worker and an industry participant may compromise this obligation where:

- a GRNSW Worker has a relationship that goes beyond a professional working relationship with someone that GRNSW is dealing with or investigating; or
- a GRNSW Worker has a spouse/ partner or immediate family member who holds any licence or registration issued or regulated by GRNSW in connection with greyhound racing in NSW. This includes but is not limited to a relationship that goes beyond a professional working relationship with any person who breeds, whelps, rears, educates or trains a greyhound for the purposes of racing that greyhound. See also 'indirect interest' in Connections to Registered Greyhounds.

In such cases, the GRNSW Worker must bring the matter to the attention of their supervisor and take immediate steps to resolve the conflict. GRNSW Workers, in many cases, will be best placed to identify such potential or actual conflict. Therefore, it is the responsibility of the GRNSW Worker to notify the appropriate manager if a potential or actual conflict of interest arises.

Action to be taken: The GRNSW Worker must disclose any personal and family relationship between GRNSW Workers and industry participants by completing a GRNSW Staff Declaration of Interests Form and submitting it to their General Manager.

GRNSW Workers acknowledge that GRNSW will keep a record of all notifications made to it under this clause. This obligation is ongoing and GRNSW Workers must provide updated forms and notification if and when their circumstances change and this becomes necessary.

3.3 Connections To Registered Greyhounds

A connection to or interest in a Registered Greyhound is deemed as being of either a direct or indirect nature.

- A **direct interest** is defined as owning or leasing (either wholly or partly), breeding,

whelping, rearing, educating or training any Registered Greyhound for the purpose of racing that greyhound.

- An **indirect interest** is defined as having a spouse/partner or immediate family member who owns or leases (either wholly or partly), breeds, whelps, rears, educates or trains a Registered Greyhound for the purpose of racing that greyhound.

Action to be taken: Staff are **prohibited** from having any **direct** interest in any Registered Greyhound and must immediately notify the General Counsel and the Chief Executive Officer.

Staff who have an **indirect** interest in a Registered Greyhound are required to declare this interest by submitting a GRNSW Staff Declaration of Interests Form to the Head of People, Culture and Training and the Chief Executive Officer.

A record of all notifications will be reviewed and maintained internally by the Head of People, Culture and Training.

This clause does not apply to greyhounds that are kept as pets or have been retired as pets in accordance with the Rules.

3.4 Financial Interests

A GRNSW employee who has a financial interest in a company or organization and is in a position to influence contracts for business between that company and GRNSW should declare this potential conflict to their manager before acting for GRNSW in matters with the company.

Examples of financial interests may also include:

- participation in, memberships of or shareholdings in certain incorporated associations, unincorporated associations, Pty Limited companies or companies limited by guarantee that are connected with greyhound racing in NSW;
- memberships of organisations or boards whose interest may conflict with those of GRNSW; and
- participation in certain types of secondary employment that could compromise integrity or the integrity of GRNSW.

Action to be taken: Staff must disclose any financial interests by completing a GRNSW Staff Declaration of Interests Form and submitting it to their General Manager

4. Declaring a Conflict Of Interest

GRNSW Workers must declare all conflicts whether pecuniary or non-pecuniary and whether actual potential, perceived.

It is the responsibility of all those covered by this policy to be aware of their obligation to identify, disclose and appropriately manage conflicts of interest which may arise at any time during the course of duty or while on GRNSW business.

The disclosure should cover:

- Any interests whatsoever that could compromise or be perceived to compromise the impartial performance of the GRNSW Worker's duties.
- Any interests whatsoever that the GRNSW Worker's immediate family (i.e. spouse, partners, children, parents or siblings) have that the GRNSW Worker is aware of that could compromise or be perceived to compromise the impartial performance of their duties.

The GRNSW Worker must make a disclosure at the first available opportunity to:

- The GRNSW Worker's Manager; and
- The Head of People and Culture and/ or
- The Chief Executive Officer.

The disclosure must be:

- in writing (an email will be sufficient) in the first instance; and followed by
- a completed Staff Declaration of Interest Form submitted to the Head of People and Culture and/ or the Chief Executive Officer as appropriate.

Disclosures are to be treated as confidential where ever possible.

4.1 GRNSW Workers Reporting Their Own Actual or Potential Conflict of Interest

When confronted by an actual, potential or perceived conflict of interest, the GRNSW Worker must formally disclose the conflict of interest and its nature to their General Manager, or the Chief Executive Officer. This must be in writing, either by email or by advice to a General Manager or the Chief Executive Officer as appropriate.

There may be circumstances where making an initial written declaration is not possible. For example if a conflict of interest arises whilst a GRNSW Worker is participating in a recruitment panel, inspection or investigation. In these situations a verbal declaration should be made by the GRNSW Worker to their manager or supervisor and must as soon as possible be recorded in writing.

The Head of People and Culture will maintain a register of declared actual and potential conflicts of interest.

4.2 GRNSW Workers Who Become Aware of Another GRNSW Worker's Possible Conflict of Interest

Where a General Manager or the Chief Executive Officer or other relevant person or body becomes aware of an actual, potential or perceived conflict of interest that has not been declared, they should discuss the matter with the individual concerned and encourage full disclosure and take action applicable to the situation. If they are uncomfortable raising it with the individual concerned or, if after raising the issue it becomes apparent that a conflict has not been declared, they should consider raising it with their manager.

If appropriate, a formal disclosure and management strategy must then be put in place. While all conflicts of interest must be disclosed, on rare occasions, there may be an ethically acceptable reason for not disclosing the specific nature of the conflict, for example if this

would breach another person’s privacy. In such cases, the individual must still declare that a conflict of interest exists and their General Manager and/or Chief Executive Officer must be satisfied that the conflict can be managed without its nature being disclosed.

5. Managing Conflicts Of Interest

GRNSW employees must avoid any financial or other interest or undertaking that could directly or indirectly compromise or appear to compromise the performance of their duties.

Staff faced with a potential conflict, should ask themselves:

- Would this activity create an actual or apparent incentive for me to benefit myself, my friends, close associates or my family?
- Would this activity harm my reputation or hurt my ability to do my job?
- Would this activity embarrass GRNSW or me if it showed up in the press?

If the answer to any of these questions is “yes”, the relationship or situation is likely to constitute a conflict of interest, and should be avoided.

The Chief Executive Officer must make an appropriate decision with regard to each disclosure of a conflict of interest (whether actual or potential) provided by a GRNSW Worker. The different strategies to manage a conflict of interest depend on the seriousness and nature of the conflict. These strategies include the following:

Strategy	What this strategy means	When is it most suitable
Report	<p>You formally report the details of the existence of a possible or potential conflict of interest to your General Manager or the Chief Executive Officer</p> <p><i>All conflicts of interest should be reported, regardless of what additional management strategies are adopted.</i></p> <p><i>The report must be in writing. It will then be kept in a register maintained by the Manager People and Culture.</i></p>	<ul style="list-style-type: none"> • For very low-risk conflicts of interest. • Where recording the conflict of interest is sufficient to maintain transparency.
Restrict	<p>Restrictions are placed on your involvement in the matter to oversee part or all of the process that deals with the matter</p>	<ul style="list-style-type: none"> • You can be effectively separated from parts of the activity or process. • The conflict of interest is not likely to arise frequently.
Recruit	<p>Recruit a disinterested third party to oversee part or all of the process that deals with the matter.</p>	<ul style="list-style-type: none"> • It is not feasible or desirable for you to remove yourself from the decision-making process. • In small or isolated communities where your particular expertise is necessary and genuinely not easily replaced.

Remove	You choose to remove yourself completely from the matter.	<ul style="list-style-type: none"> For ongoing serious conflicts of interest, where restriction or recruitment of others is not appropriate.
Relinquish	You relinquish the private interest that is creating the conflict.	<ul style="list-style-type: none"> Where your commitment to your GRNSW work duty outweighs your attachment to your private interest.
Resign	You resign from your position with GRNSW.	<ul style="list-style-type: none"> No other options are workable. Where you cannot or will not relinquish your conflicting private work. Where you prefer this course as a matter of personal principle.

If the GRNSW Worker refuses to comply with a direction from the Chief Executive Officer regarding a conflict of interest (such as to relinquish the employee's personal interest) appropriate action will be taken, which may include termination of employment.

If a GRNSW Worker is uncertain whether a conflict of interest exists, they should discuss the related interest with their General Manager and/ or Chief Executive Officer and attempt to resolve any conflicts of interest that may exist.

In order that potential conflicts may be avoided or managed, GRNSW Workers must:

- not discuss confidential GRNSW business with any person who is not an employee of GRNSW;
- ensure that, where racing matters are discussed with members of the industry in an official context, it is made clear that they are not acting on behalf of GRNSW; and
- ensure that, should any industry participant with whom they have a relationship that goes beyond a professional working relationship become the subject of an inquiry or other proceeding commenced by, on behalf of or involving GRNSW which affects that person, the GRNSW Worker must immediately advise the Chief Executive Officer and take no part in any such inquiry or other proceedings.

6. Record Keeping

Identification, assessment and management of conflicts of interest should be fully documented to ensure accountability and transparency. Once a matter is resolved the details must be included in the Conflict of Interest Register. Retention of records relating to the management of conflicts of interest and the conflict of interest register should be in accordance with GRNSW's Records Management Policy.

7. Conflict of Interest Register

The Conflict of Interest Register will be maintained by GRNSW's general counsel or other authorised GRNSW officer as appropriate.

The Register is to include, as a minimum:

- The name of the person declaring the conflict of interest;
- To whom the conflict of interest was declared (name and position);
- Date of declaration;
- The nature of the declared conflict, including if relevant the name of the organisation or individual the conflict relates to involved;
- A brief description of the matter;
- Any action taken; and
- Any additional comments.

8. Access to Support and Advice

One way of preventing or proactively addressing conflicts of interest is by ensuring access to advice on these issues. A supervisor or manager may provide advice to staff and management on conflict of interest matters

Advice may also be obtained from GRNSW's General Counsel.

Consequences Of A Breach Of This Policy

If a GRNSW Worker breaches this policy, they may be subject to disciplinary action, up to and including termination of employment.

Non-compliance with the provisions of this Policy, including refusal to take any reasonable action as directed to resolve a conflict of interest, is a serious matter. Depending on the severity and implications of the breach, action may be taken under disciplinary proceedings and sanctions may include warning, counselling, disciplinary action or termination.

Wilful blindness of dishonest or improper activity will be treated as being the same as actual knowledge of those activities. Any violation of this policy must subject the individual involved to disciplinary action.

Breaches of this Policy may also result in referral to and action being taken by a statutory authority and/ or agency, including the Independent Commission Against Corruption.

Definitions In This Policy

Controlling Body means the approved controlling authority or the legislated body having control of greyhound racing, or an aspect thereof, in Australia or New Zealand.

General Manager means the Chief Veterinary Officer, Chief Operations Officer, General Manager Race Day Operations, General Manager Regulatory, General Manager Marketing and Communication, General Manager GAP, General Manager Wagering, General Manager Tracks and Infrastructure, General Manager People and Culture.

GRNSW means Greyhound Racing New South Wales.

GRNSW Workers means anyone performing work for GRNSW, including employees (whether full time, part-time, or casual and whether employed on a temporary or ongoing basis), contractors, consultants and volunteers but excluding the directors of GRNSW.

Registered Greyhound means a dog or bitch of the species registered or licensed pursuant to the Rules of a Controlling Body. For the purposes of this policy a Registered Greyhound does not include a greyhound that has been retired as a pet in accordance with the Rules.

Rules means GRNSW Greyhound Racing Rules.

Relevant Legislation and Rules

- Independent Commission Against Corruption Act 1988 (NSW)

Key Related Documents

- GRNSW Employee Code of Conduct
- GRNSW Gifts and Benefits Policy
- GRNSW Staff Declaration of Interests Form
- GRNSW Records Management Policy

Amendments To, and Operation Of, This Policy

GRNSW reserves the right to amend this policy at any time.

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