

Conflict of interest

As a general rule, members of Lutheran school councils should consider and adhere to the following principles:

- a person must avoid any conflict between that person's interests, that person's duties to the school, and the best interests of the school
- a person must not take advantage of their position to gain a direct or indirect benefit
- a person must make full and prior disclosure of any perceived, potential or actual conflict of interest to the school council

It is also suggested that, at the beginning of every meeting, it is a wise practice for school councils to establish a *Conflict of Interest Declaration*.

The school council, or other appropriate person or entity, will decide whether the individual should, in the circumstances related to a proven conflict of interest:

- not be eligible for election to a position
- refrain from taking part in decision-making on the topic
- refrain from participating in consideration or debate about the decision
- not be present during consideration or debate about the decision
- take leave of absence from their position for a period of time
- consider resigning from their position as member of the school council

Where a person disputes the decision of the school council, the matter should be referred to an independent mediator, eg, to the appropriate regional executive director for Lutheran education.

As a guide, issues relating to conflict of interest are to be managed by a school council in the following administrative manner as far as possible in the circumstances:

1. Agenda items should be circulated in sufficient detail and time before school council meetings allowing sufficient time to allow members to identify and declare conflict of interest before the meeting or, at least, before the matter is discussed
2. A person nominated for election or appointment to a school council whose election or appointment might create a conflict, should declare the nature and extent of the conflict and the nature and extent of the potential direct or indirect benefit to the school council, or other appropriate person or entity prior to the election or appointment
3. Any member of the school council who considers a member to have a conflict of interest should, in the first instance, raise the matter with the council chair
4. The particulars of the disclosure and the decision of the school council as to its management should be noted in the minutes
5. The minutes should record the management of the perceived, potential or actual conflict of interest (eg, the person leaving the room for the discernment process and decision)

[This guide is based on the LCAQD Conflict of Interest Policy, 2010]