



[Your Organization's Name]

Conflict of Interest Policy

1. Overview

At [Your Organization's Name], we are committed to upholding the highest standards of integrity, transparency, and accountability. This policy outlines the guidelines for identifying and managing potential conflicts of interest involving board members, staff, or volunteers. By adhering to this policy, we ensure that decisions and actions are made in the best interest of the organization and avoid conflicts that could compromise our mission and reputation.

2. Purpose

A **Conflict of Interest (COI) Policy** is the cornerstone of ethical governance for a Non-Profit Organization (NPO). Its primary purpose is to ensure that the individuals who lead the organization make decisions based solely on the best interests of the NPO and its beneficiaries, rather than for personal or financial gain.

a) **Protecting Organizational Integrity and Trust**

Non-profits operate on "public trust." Donors, government bodies, and the community provide resources with the expectation that they will be used for social good. A COI policy provides a formal mechanism to prevent "insider dealing" (e.g., awarding a lucrative contract to a Board Member's family business), which would otherwise destroy that trust.

b) **Ensuring Fiduciary Duty and Legal Compliance**

Under the Companies Act (for Non-Profit Companies) and the NPO Act, board members have a fiduciary duty to act in good faith.

Preventing Private Inurement: It ensures that organization funds do not "leak" into the pockets of private individuals.



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SARS Compliance: For NPOs with Public Benefit Organisation (PBO) status, strict adherence to non-profit principles is required to maintain tax-exempt status.

c) **Establishing a Standard for Transparency**

The policy doesn't necessarily forbid all conflicts—sometimes a board member is the best person to provide a service—but it mandates disclosure. It outlines exactly how a conflict should be handled:

- Disclosure: The individual must state the conflict openly.
- Recusal: The individual must leave the room during the discussion and vote on that specific matter.
- Documentation: The minutes must record that the conflict was disclosed and the proper procedure followed.

d) **Protecting the Individuals Involved**

A COI policy is not just a "policing" tool; it protects board members and staff from accusations of impropriety. By following a clear, documented process, a board member can prove that they acted transparently, even if a transaction involving them took place.

e) **Safeguarding Audit and Funding Readiness**

When applying for major grants (from the National Lottery, international foundations, or CSI departments), organizations are almost always asked for their COI policy. It signals to funders that the NPO is professionally managed and that their investment is safe from mismanagement.

3. Definition of Conflict of Interest:

3.1. A conflict of interest occurs when an individual's personal or financial interests could influence, or appear to influence, their judgment or actions in carrying out their duties and responsibilities on behalf of the organization.



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3.2. Conflicts of interest can arise in various situations, including financial transactions, relationships with vendors or suppliers, potential competing commitments, or other circumstances that may compromise objectivity and impartiality.

4. Disclosure and Identification:

4.1. All board members, staff, and volunteers have a duty to disclose any potential conflicts of interest that may arise in the course of their involvement with the organization.

4.2. Conflicts of interest should be disclosed in writing to the designated authority, such as the executive director or a conflict-of-interest committee, using a standardized disclosure form or process.

4.3. Disclosures should include relevant details, such as the nature of the conflict, individuals or entities involved, and any potential impact on the organization's activities or decisions.

5. Review and Evaluation:

5.1. Conflicts of interest disclosures will be reviewed by the designated authority to determine the significance of the conflict and potential impact on the organization.

5.2. The designated authority may seek additional information or clarification from the individual disclosing the conflict or other relevant parties as necessary.

5.3. The review process should be conducted confidentially, and information disclosed should be handled with discretion and confidentiality.

6. Management and Mitigation:

6.1. Upon review, the designated authority will determine appropriate actions to manage and mitigate conflicts of interest, which may include one or more of the following:



6.1.1. Removal of the conflicted individual from decision-making processes related to the conflict.

6.1.2. Requiring the conflicted individual to recuse themselves from discussions or votes related to the conflict.

6.1.3. Imposing specific conditions or restrictions to minimize the impact of the conflict.

6.1.4. Seeking independent expert advice or opinions to ensure transparency and objectivity.

6.1.5. Taking any other actions deemed necessary to address the conflict and protect the organization's interests.

6.2. Conflicts of interest and their management should be documented, including actions taken, rationale for decisions, and any resulting agreements or resolutions.

7. Annual Declarations:

7.1. Board members, staff, and volunteers will be required to submit annual conflict of interest declarations, reaffirming their understanding of the policy and disclosing any new or ongoing conflicts of interest.

7.2. The annual declarations will be kept on record and reviewed to ensure ongoing compliance with the policy.

8. Policy Review and Updates:

8.1. This Conflict of Interest Policy will be reviewed periodically to ensure it remains aligned with the organization's needs, best practices, and changing regulatory requirements.

8.2. Any updates or changes to the policy will be communicated to relevant individuals, the board of directors, and incorporated into the annual conflict of interest declaration process.

By following this Conflict of Interest Policy, we establish guidelines for the identification and management of potential conflicts of interest, ensuring the integrity, transparency, and credibility of our organization. Clear policies and procedures promote responsible decision-



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making and protect the interests of the organization and its stakeholders. If you have any questions or require further guidance regarding conflicts of interest, please contact the designated authority within the organization.

The templates provided are for general guidance only and not legal advice. Their use is at your own risk, and we are not liable for any damages arising from their use. Consult legal or professional advisors for tailored policies.