



## Conflict of Interest Policy



"I trust they prioritise and address my interests."

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He aha te huarahi? I runga I te tika te pono me te aroha

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What is the pathway - it is doing what is right with integrity and compassion

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### Intent

Kaimahi and governance bring a range of experiences and relationships to their roles that they use to benefit the organisation. Sometimes these interests may conflict or be reasonably perceived to conflict with their duties and responsibilities in our organisation.

Kaimahi and governance will be open about when these situations arise. Caution and early disclosures are encouraged.

We manage the risks of conflict to ensure we operate fairly and with integrity, and to maintain public confidence in our organisation.

### Responsibilities

**The board** must keep a written record of conflicts arising at the governance level and how they are managed. Members must be vigilant about and



identify conflicts of interests before they are appointed and during their appointment to the board.

The secretary or chair of the board must regularly check for conflicts at board meetings.

**Management** must:

- raise with the board chair/delegate if and when they have a conflict of interest in a matter
- foster a culture of openness that supports proactive disclosure and management of conflicts of interest
- maintain a written record of conflicts.

**Kaimahi and volunteers** must comply with this policy. If in doubt, potential conflicts should be raised with management (for staff) or the board.

## Requirements

### Identify and disclose

Every kaimahi and board member will be asked to notify before and subsequent to their appointment, any relationships or interests they have that might reasonably give rise to a perception of or could potentially conflict with their responsibilities. Interests that should be notified include:

- their principal business activities
- their community and business organisations and interests
- any relationships they have between themselves and/or any employee, contractor, or volunteer of the organisation.

Concern about conflicting interests may also be raised by third parties (eg other staff, or external stakeholder).



The concern should be directed in the case of kaimahi to management and to the board chair when it relates to management or a board member.

### **Manage financial interests**

A kaimahi or board member will be excluded from participating in any matter when:

- they or their associate have a direct or indirect financial interest
- they could be reasonably viewed (from an outsider perspective) as having a financial interest in the matter (even if this is not the case).

This includes where the board or kaimahi is in a position of influence or involved in a company or commercial operation with whom our organisation has or could have a contractual arrangement.

### **Matters requiring objectivity**

If a decision requires objectivity or a disinterested perspective, any person with an interest in its outcome will be excluded from participating.

### **Other cases**

A conflict may involve a non-financial interest, which could impair, or be reasonably viewed as impairing, the judgement of the board or kaimahi (eg involvement in recruitment when a family member or spouse applies). If transparency is not enough, appropriate steps will be taken to address the risks of the conflict, for example:

- the person withdraws
- the person is excluded from a committee or working group dealing with the issue
- certain tasks or duties are re-assigned
- certain information is withheld from the person or restrictions are placed on their access to information



- resignation or dismissal.

## Breach response

Anyone who is aware of a breach of this policy, or who is concerned that there has been or may be a breach, should report their concerns to management.

Each reported breach will be investigated. The person(s) alleged to have an undeclared conflict of interest will be given the opportunity to explain and clarify the circumstances.

A decision will be made about whether:

- there has been or was potential for a breach and if so, the materiality of it
- further action is required, including potential disciplinary action where the breach was deliberate
- there is anyone who should be made aware of the breach.

The breach and actions taken to address it must be recorded as below.

## Recordkeeping

All disclosures, breaches and declarations of conflict of interest must be recorded (eg in the Conflict of Interest register). The record should include:

- the type of conflict of interest
- the kaimahi or board member affected
- whether the conflict of interest was declared in advance of appointment (new conflicts of interest will be added to the conflict of interest register)



- a summary of the discussion and action taken to address risks (eg that board member withdrew from the discussion and decision making; that tasks were re-allocated to avoid conflict.)

A conflict for a board member must be recorded in the board meeting minutes.

Any related party transactions will be recorded in the Performance Statement at the end of the year.

## Compliance

Social Sector Accreditation Standards - Level 2 Governance and management structure and systems 4.0

Social Sector Accreditation Standards - Level 1 Governance and management structure and systems 1.0

NZS 8134: 2021 2. Workforce and structure 2.1

NZS 8134: 2021, Our Rights, Criterion 1.5.4

## Helpful links

[Conflict-of-interest-Register](#)

[Conflict of Interest Practice Guide](#)

## Review

Date: August 2021

Next review: July 2023