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| Conflicts of Interest  |
| **Purpose** | This Document enables our Board of Trustees/Directors and staff to recognise and manage potential or perceived conflict of interest situations in order to preserve public trust in our organisation and to protect employees. |
| **Scope** | This document applies to our organisations Board of Trustees/Directors, employees and contractors.  |
| **Policy** | Employees and Board members have an obligation to act in the best interests of the organisation and in accordance with this document. It is their responsibility to declare conflicts of interest. |
| **Definition** | A conflict of interest exists in any situation when a person has a financial interest, a private or personal interest, or a business interest sufficient to influence, or appear to influence, the impartial exercise of their official duties or professional judgments.(It might be impossible to eliminate all situations that may lead to a conflict of interest, but such situations can be managed to avoid the adverse effects that could result). |
| **References** |
| **Guidelines** | [Conflict of interest practice guide (Institute of Directors NZ)](https://www.iod.org.nz/resources-and-insights/guides-and-resources/conflicts-of-interest-practice-guide/)[Conflict of interest – Charities Services NZ](https://www.charities.govt.nz/im-a-registered-charity/officer-information/officer-kit/conflict-of-interest/) |

**Types of conflict of interest - Examples**

**Personal**

**Financial**

**Business**

The term financial interest means anything of monetary value, including but not limited to:

* Salary or payment for services (example: consulting fees and honoraria).
* Equity interests (example shares, ownership interests).
* Gifts.
* Allowances, forgiveness of debts, interests in real estate, or personal property, dividends, rents, capital gains.
* Intellectual property rights (example: patents, copyrights and royalties from these rights).

A Board or staff member has a personal interest in a matter if a:

* Spouse or partner, or other person in the person’s family/whānau, or a person with whom there is a close friendship, could be advantaged or disadvantaged, by any decision that the staff member either can make, or does make, or is in a position to influence.
* Situations: hiring, salary decisions, performance managing, conferences, training, promoting etc.

A Board or staff member has a business interest in an enterprise seeking to do business with us if the following applies;

* Is a director of the

 enterprise.

* Is an owner of, or

 partner in the enterprise.

* Has a significant

 shareholding (equal to or greater than 20% shareholding) in the enterprise.

* Has a close personal or familial relationship with a person who is an owner or partner, or significant shareholder in the enterprise.

**Conflict of interest processes overview**

The Board agrees how the conflict is managed. The decision will be informed by preserving individual and organisational integrity.

Those principles apply also to staff related conflicts.

The conflict is declared to the Board or CEO/Manager and recorded in the company register and board minutes

Staff related conflict is declared with the person the staff reports to and recorded in the staff personnel record.

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The conflicted board or staff member identifies the conflicting interest in regards to their role and/or responsibilities.

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**Board members, management, staff**

**Identification**

**Complete a declaration of conflict of interest**

**Board members**

**Management and other staff**

* When joining the board.
* Is a standard agenda at each meeting.
* When joining our organisation.
* Any other time a conflict of interest arises.

When they become aware of a conflict of interest that has not been declared yet:

They should discuss this with the chairperson of the board or its secretary.

Add the conflict to the register.

They should discuss this with the person they report to.

Add the conflict to the person’s record.

**Declare!!!!**

**If in doubt**

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**Management and other staff**

**Managing the conflict of interest**

**Board members**

The person responsible for the decision-making will:

* Appoint an independent person to oversee or review the activity or action.
* Remove the individual from the decision making process or duties and allocate the tasks to a person with no conflict.

The Board agrees:

* The member withdraws from the meeting for the course of discussion and doesn’t vote, or
* The member stays for the course of discussion and doesn’t vote, or
* The member stays for the course of discussion and votes.
* The member is asked to relinquish or quarantine the personal interest.

The person responsible for managing the conflict:

* Takes minutes of the discussions in relation to the conflict including the rationale for the chosen course of action.

The Board secretary:

* Ensure minutes accurately reflect all decisions/declarations, including the rationale for the chosen course of action.
* The minutes are the collective memory of the Board and evidence of the decision-making process.
* Updates the conflict of interest register.