



Version 1 | Mahi Tuatahi  
Effective Date | Whakamana tahito : November 2024 | Noema 2024  
Next Review | ā houanga arotake: November 2027 | Noema 2027  
Policy Owner | Rangatira Kaupapa Māhere: Chief Executive Officer  
Key Accountabilities | Ngā Takonga Tuatahi: Chief Operating Officer

## Introduction | Tīmatanga Kōrero

The purpose of this policy is to:

Establish expectations for identifying, managing, and mitigating actual and potential conflicts of interest that may arise between the personal interests of employees and the interests of Whānau Manaaki.

### What is Conflict of Interest?

Conflict of interest means a situation where there is, or may be, a conflict between two or more competing interests of a person. In the work context, there may be a conflict between a person's private interests (which may include their business, personal, legal or financial interests) and their professional responsibilities as an employee of Whānau Manaaki. Personal interests include direct interests and those of any person who has a close personal relationship with a person employed by Whānau Manaaki.

A conflict of interest can be:

- actual - where a conflict exists
- potential - where a conflict could arise in future
- perceived - where it reasonably could appear that there is a conflict.

Examples of situations where there may be a conflict of interest include, but are not limited to:

- in external business and professional dealings
- in personal relationships, including current enrolments of children at a Whānau Manaaki service that is the same as the employee
- conflicts arising from the interests of people or entities associated with the employee.
- acceptance of benefits, such as entertainment, travel, gifts.

### Identifying a Conflict of Interest

Identifying a conflict can be difficult. Our people should use the following guide.

- A conflict of interest can be actual, perceived or potential.
- Seek opinions from supervisors or managers.
- When considering whether a conflict of interest exists, consider the situation from the standpoint of an outsider. If it is likely that a reasonable outsider would consider that a conflict exists, the employee should act as though a conflict does exist.



- If the employee is unsure whether there is a conflict of interest, they are expected to declare it.

Regardless of how minor a conflict of interest may seem; it is important to maintain an ethical approach in all circumstances. Even a minor conflict or matter that occurs frequently may become substantial.

### **Applies To | Ko Wai Whakahāngaitia**

This policy applies to all people employed by Whānau Manaaki.

### **General Principles | Mātāpono Whānui**

1. Employees in leadership roles must take reasonable steps to avoid a conflict of interest between their private interests and their professional responsibilities within Whānau Manaaki.

### **Disclosure of Conflict of Interest**

2. Employees must disclose any actual, potential or perceived conflict of interest in connection with their duties or the services they perform for Whānau Manaaki.
3. It is the responsibility of employees to advise their Senior Leader or Human Resources Advisor of an actual or potential conflict of interest at the earliest possible opportunity.
4. All applicable employees should review their declaration of Conflicts of Interest annually to ensure currency and to accurately reflect the status of the conflict of interest.

### **Management of Conflict of Interest**

5. Where there is a conflict of interest Whānau Manaaki must consider and decide what action to take. Depending on the circumstances, this may include:
  - No action being taken and the situation being monitored
  - The person with the conflict not being involved in certain discussions, decisions, negotiations, assessments
  - Restricting the involvement of the person with the conflict in a matter
  - Removing the person with the conflict entirely from the matter
  - Supervision of the person with the conflict in relation to the matter
  - The person with the conflict relinquishing any external interests/roles causing the conflict of interest.
6. The employee must comply with the decision made. Whānau Manaaki reserve the right to place any necessary and reasonable further restriction on an employee, if facts and circumstances come to our attention which, in our view, could compromise an employee's position or the reputation, operations or goodwill of Whānau Manaaki.
7. Employees are required to advise a Senior Leader immediately they are aware of any fee, gratuity, commission or benefit being provided by any person to any employee of Whānau Manaaki for or in relation to any matter or thing concerned with the employee's duties to Whānau Manaaki.





### Recording Conflicts of Interests

8. All records relating to conflict of interest should include:
  - a. The name of the person with an interest,
  - b. Name of the person, organisation and/or entity that the employee has a relationship with,
  - c. Position held or description of how your involvement constitutes an interest,
  - d. Date that the conflict was advised,
  - e. Status of the conflict (Closed or Current).
9. All recruitment guidance will include specific prompts at interview, reference checking and risk assessment to ensure the disclosure and appropriate management of potential conflicts of interest.
10. Members of the Governance Board will maintain a register of interests.
11. Members of the Senior Leadership Team will maintain a register of interests.
12. Disclosure and management/mitigation plans of all other employee conflicts of interest will be recorded in their personnel records.

### Related Procedures or Processes and Documents | Pākanga Tukanga me Pukapuka

- Mitigating Conflicts of Interest Guidelines
- Conflict of Interest Mitigation Plan (People)
- Conflict of Interest Mitigation Plan (Procurement)
- Enrolment, Admission and Induction to Kindergartens Policy
- Governance Board Interests Register (BoardPro)
- Senior Leadership Team Interests Register

### Policy Review Cycle | Kaupapa Arotake Hurihanga

This policy is to be reviewed every three years. Whānau Manaaki may amend or cancel this policy or introduce a new policy, as it considers it necessary within the current cycle of the policy. Any amendments will be considered by the policy Working Group and will need to be approved by the Senior Leadership Team and the Board. The policy will continue on the same review cycle.



## Mitigating Conflicts of Interest Guidelines

Version 1 | Mahi Tuatahi  
Last Review Date: October 2024

### What is a Conflict of Interest?

A conflict of interest is a situation where your responsibilities within Whānau Manaaki conflict, or could be seen to conflict, with another interest you might have. A conflict of interest can be:

- actual (where conflict already exists),
- potential (where conflict could happen), or
- perceived (where others might reasonably think conflict exists).

### Mitigating Conflicts of Interest

Having interests outside your work or role is expected. Where there is a conflict of interest, Whānau Manaaki leadership must consider the most appropriate course to take that ensures the safety of our people and the organisation. Depending on the circumstances, this may include:

- No action being taken and the situation being monitored
- The person with the conflict not being involved in certain discussions, decisions, negotiations, assessments
- Restricting the involvement of the person with the conflict in a matter
- Removing the person with the conflict entirely from the matter
- Supervision of the person with the conflict in relation to the matter.
- The person with the conflict relinquishing any external interests/roles causing the conflict of interest.

### Why does managing conflicts of interest matter?

Managing risks from conflict of interest is particularly important for governors and staff in high-risk roles (procurement, grants, approvals or consents, performance management). Conflicts of interest can also have significant impacts on team dynamics and expectations if not discussed and a plan agreed. Effectively managing risks from conflicts of interest helps to:

- protect the reputation of our organisation, staff, and others;
- ensure decisions are made impartially and for the right reasons;
- safeguard decisions from the influence of personal interests or ulterior motives;
- reduce the risk of project delays arising from a complaint, or investigation; and
- maintain the trust and confidence of private and voluntary sector suppliers to compete for public sector contracts, which is essential for achieving our objectives





## Conflict of Interest Mitigation Plan (People)

**Prior to completing this form, we advise you to read through the Conflict of Interest Policy and the and discuss the appropriate mitigations with the Chief People Officer or HR Advisor.**

Name

Position

Person/Organisation/Entity

*Name of the person, organisation and/or entity that the employee has a relationship with*

Position/Interest

*Position held or description of how your involvement constitutes an interest*

Notice Date

Status

**Please detail the mitigations that have been put in place to minimise any risks associated with the potential Conflict of Interest**

**Employee Signed:**

**Date:**

**Team Leader/HT/ST Signed:**

**Date:**

**HR Advisor / Chief People Officer Signed:**

**Date:**





## Conflict of Interest Mitigation Plan (Procurement)

**Prior to completing this form, we advise you to read through the Conflict of Interest Policy and the and discuss the appropriate mitigations with the Chief Operating Officer.**

Name

Position

Person/Organisation/Entity

*Name of the person, organisation and/or entity that the employee has a relationship with*

Position/Interest

*Position held or description of how your involvement constitutes an interest*

Notice Date

Status

**Please detail the mitigations that have been put in place to minimise any risks associated with the potential Conflict of Interest**

**Employee Signed:**

**Date:**

**Chief Operating Officer Signed:**

**Date:**

