# Operational Policy: Conflicts of Interest (NAG 4)

## Blind & Low Vision Education Network NZ

## Statement of Intent:

Blind & Low Vision Education Network NZ (BLENNZ) has a duty to ensure responsible use of its public funds and assets and that it meets state public sector expectations for management of conflicts of interest. It is therefore essential that BLENNZ’s capacity to make decisions lawfully and fairly is not compromised, and that neither BLENNZ nor the individual’s reputation is damaged as a result of a conflict of interest.

The Board of Trustees has delegated to the Principal the responsibility for the management of conflicts of interest involving staff.

## Definition:

Conflicts of interest arise where an employee’s duties or responsibilities could be affected by some other interest or duty that the employee may have. A conflict of interest may take a number of forms. It may be financial or non-financial. It may be direct or indirect. It may be professional or family related. It may be perceived or actual. It may exist because of:

* The employee’s own financial affairs
* A relationship or other role that the employee has
* Something the employee has said or done.

The three forms of conflict of interest are:

1. Actual: a conflict between official duties and other interests that could interfere with an employee’s ability to be impartial, objective and independent.
2. Perceived: the perception of outside observers that an employee’s interests may interfere with their ability to be impartial, objective and independent, whether or not this is the case. The perception of a conflict of interest can be just as damaging to reputation as an actual conflict.
3. Potential: a situation where interests have the potential to interfere with official duties in the future, or where official duties could affect a staff member’s interests in the future.

Types of conflict of interest include:

* Being involved in a decision to appoint or employ a relative, close friend or associate
* Influencing a decision relating to pedagogy and practice that could be seen to be advantageous for their own child, extended whānau or friends
* Conducting business on behalf of BLENNZ with a relative’s company
* Owning shares in (or working for) particular types of organisations that have dealings with (or that are in competition with) BLENNZ
* Deliberating on a public consultation process where the employee has made a personal submission in areas directly related to BLENNZ
* Accepting gifts personally in connection with their official role rather than first conferring with a BLENNZ Senior Manager for a decision regarding acceptance
* Influencing or participating in a decision to award grants or contracts where the staff member is connected to a person or organisation that submitted an application or tender.

Conflicts of interest should be viewed within an ethical context of good faith, honesty and impartiality (ref. State Services Commission as quoted from MOE Financial Information for Schools Handbook).

## Policy Requirements:

1. Staff must notify their Manager immediately if they identify a possible conflict of interest. If uncertain about whether or not something constitutes a conflict of interest, the matter should be disclosed.

2. Once the conflict of interest has been identified and disclosed, it is the responsibility of the Manager to take further steps to remove any possibility, or perception, of public funds or an official role being used for private benefit. The Manager will therefore seek advice from their Senior Manager or the Principal on what action, if any, needs to be taken.

3. In assessing the risk associated with the possible conflict of interest the Senior Manager or Principal will review the seriousness of the conflict of interest and the range of possible options to reduce or manage that risk.

4. The matter and subsequent decisions will be recorded in writing and if required by audit, disclosed in the BLENNZ financial statements.

5. The Principal or Senior Manager will seek professional advice from the NZ School Trustees Association (NZSTA), or any other employment adviser approved by the Board’s liability insurer, on how to handle any matters of concern in relation to conflicts of interest for BLENNZ employees.

## Supporting Documents:

[Ministry of Education: Financial Information for Schools](http://www.education.govt.nz/school/funding-and-financials/)

[Managing Conflicts of Interest in the Public Sector](http://www.oag.parliament.nz/2020/conflicts)

BLENNZ Policies:

* Provision of Gifts
* Purchasing of Goods and Services

Approved: 

Date: 7 June 2022

Next Review: 2024