

Conflict of Interest Policy

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Approval Authority Mana Whakaae	University Council
Contact Officer Āpiha Whakapā	General Counsel and Registrar – Vice-Chancellor’s Office

Introduction | Kupu Whakataki

As a public entity, the University, is committed to ensuring that conflicts of interest are properly disclosed and managed in accordance with appropriate standards of professional conduct. This protects both the University’s reputation for impartial decision making when managing public funds and the personal integrity of its decision makers.

This Policy outlines the broad principles which Members must adhere to regarding conflicts of interest. Specific procedures for the disclosure and management of conflicts of interest are set out in the Conflict of Interest Procedures. The Conflict of Interest Procedures, along with Guidance Notes, Disclosure Forms and other useful materials are housed in the [Conflict of Interest Intranet site \(Staff only\)](#).

Policy Statement | Kaupapa Here

This policy applies to all Members of the University.

What is a conflict of interest?

A conflict of interest is any situation where a Member’s duties or responsibilities to the University conflict, or could be seen to conflict, with a personal interest.

Having a conflict of interest does not in and of itself imply wrongdoing. However, failing to recognise, disclose and manage a conflict of interest in accordance with this Policy exposes the University to legal, commercial, political and/or reputational risk and may call into question the integrity of the Member(s) involved.

Assessing personal interests

Members are responsible for assessing their own personal interests and for continuously monitoring whether such interest conflict, or have the potential to conflict, with their University duties and responsibilities.

Identifying whether a personal interest conflicts with a professional duty

Members need to be alert to situations in which they, or the people that they manage or supervise, may have a conflict of interest and ensure that the situation is recognised and handled appropriately.

Conflicts of interest include actual, potential and perceived conflicts:

actual conflict	potential conflict	perceived conflict
A Member's professional obligation or decision is influenced by a personal interest.	A Member's professional obligation or decision <i>could</i> be influenced by a personal interest.	A Member's personal interest could reasonably be perceived, or give the appearance of, improperly influencing that person's professional obligations or decisions.

If a Member has any doubt as to whether a conflict of interest exists they should disclose the matter in accordance with this Policy.

Prohibited acts

The University considers certain conflicts of interest to be unmanageable. Accordingly, unless prior approval from the Vice-Chancellor has been obtained, Members are prohibited from the following:

- being involved in a decision to appoint or employ someone with whom they have a Relationship, or being involved in the management of such person;
- conducting business on behalf of the University with a company or other organisation in which the Member, or a someone with whom they have a Relationship, has a financial interest (other than shares held in publicly listed companies or where the financial interest is otherwise negligible i.e. below 5%);
- influencing or participating in a decision to award a scholarship, contract or other financial benefit when the Member has a Relationship with a person or organisation which will benefit from the award;
- being involved in the grading, supervision or discipline of a student with whom the Member has a Relationship; and/or
- accepting gifts or other monetary rewards outside of the Gifts Policy.

Disclosing a conflict of interest

Each conflict of interest situation must be disclosed in writing as soon as reasonably practicable after it is identified. It is the responsibility of the person to whom the conflict of interest relates (ie the Relevant Individual) to make this disclosure.

Conflicts of interest must be disclosed using the [Conflict of Interest Disclosure Form \(Staff only\)](#), which the Relevant Individual must submit to the Relevant Manager to review.

The [Conflict of Interest Procedures \(Staff only\)](#) set out specific information as to how conflicts of interest should be disclosed in various circumstances.

Managing a conflict of interest

Each conflict of interest situation must be dealt with as soon as reasonably practicable after it is disclosed.

The conflict of interest must be reviewed and (if required) a management plan implemented, by the Relevant Manager in accordance with the [Conflict of Interest Procedures \(Staff only\)](#) and independently of the Relevant Individual.

The Relevant Manager must record the outcome of their decision concerning the conflict of interest, plus any management plan, in a Conflict of Interest Management Form (which is automatically sent to the Relevant Manager when the Relevant Individual has completed a [Conflict of Interest Disclosure Form \(Staff only\)](#)). The Relevant Manager should record and retain detailed minutes of any meetings held to discuss the conflict of interest.

It is the responsibility of both the Relevant Individual and the Relevant Manager to ensure that the management plan is complied with.

If the Relevant Manager is uncertain on how to proceed, they may escalate the conflict of interest to their respective manager to decide. The ultimate decision maker on the appropriate course of action to take with respect to complex conflict of interest situations is the General Counsel and Registrar in consultation with the Vice-Chancellor.

Conflicts of Interest Register

Any information disclosed in a Conflict of Interest Declaration Form and its related Conflict of Interest Management Form becomes part of the Conflicts of Interest Register.

Each of the following will have the responsibility for monitoring conflicts of interest and ensuring that the Conflicts of Interest Register is accurate and up to date:

- with respect to each faculty, the Executive Dean;
- with respect to each service unit, the SLT member responsible for that service unit;
- with respect to each SLT member, the Vice-Chancellor;
- with respect to the Vice-Chancellor, the Chancellor;
- with respect to the Chancellor, the Chair of the Audit and Risk Committee;

- with respect to other members of the University Council or Committees, the relevant Chair in conjunction with the University Registrar (or their delegate); and
- with respect to a University subsidiary, the relevant board chair (or their delegate)

Ongoing education and monitoring

Relevant Managers shall:

- ensure that their staff are aware of their obligations under this Policy (and complete training as required); and
- monitor compliance with this Policy and any conflicts of interest which arise.

The [Conflict of Interest Procedures \(Staff Only\)](#) sets out detailed requirements with respect to these responsibilities.

Privacy

Personal information contained within the Conflicts of Interest Register will be used strictly as necessary to appropriately manage conflicts of interest and in all events, be used, stored and disclosed in accordance with the University's [Privacy Policy](#) and the [Conflict of Interest Procedures \(Staff only\)](#).

Consequences for breaching this Policy

Failure to comply with this Policy may equate to misconduct or serious misconduct, depending on the circumstances. Non-compliance may be dealt with in accordance with the [Employee Disciplinary Policy](#) (if the breach involves a University employee) or as deemed appropriate by the University and/or in accordance with any written contract for breaches by non-employees.

Questions

Any questions concerning this Policy can be directed to the Contact Officer.

Definitions | Tautuhinga

Conflict of Interest Register means the register holding all information disclosed by Relevant Individuals and Relevant Managers concerning conflicts of interest.

Member(s) includes all persons working at, for, or on behalf of, the University (whether paid or unpaid), including all Staff Members, Emeritus and adjunct professors, Erskine Fellows, contractors and consultants (and their employees), Council members, committee appointees and the University's wholly owned subsidiary or associated companies' staff and board members.

Personal interest means any interest, including but not limited to a financial interest, which pertains to a person or business whereby that person or business would gain a benefit, privilege, exemption or advantage from the action of the University or the Relevant Individual, or which gives or could give rise to a perception that the Relevant Individual is

acting in a biased or predetermined manner. A personal interest could include a financial or non-financial interest, participating in conflicting roles or predetermination in decision-making. Specific examples of personal interests are set out in the Conflict of Interest Guidance Note.

Relationship means a personal or business connection that could affect how other people view a Member's impartiality and could include a romantic or sexual relationship, family relationship or close friendship. To avoid doubt, a collegial relationship between work colleagues (past or present) is not included except where it could be deemed a close friendship.

Relevant Individual means a person who has, or may have, a conflict of interest.

Relevant Manager means (i) for a Staff Member, their line manager, (ii) for the University Council or committees, or company boards, the relevant chair, (iii) for chairs, the University Registrar, (iv) for the Vice-Chancellor, the Chancellor (v) for the Chancellor, the Chair or the Audit and Risk Committee and (vi) for a contractor, manager, consultant or other service provider, the relevant head of department or service unit director who has responsibility for the same.

Staff Member refers to an individual employed by the University on a continuing or fixed term full or part time basis and includes volunteers.

University means the University of Canterbury and/or its wholly owned subsidiaries.

Related Documents and Information | He kōrero anō

Legislation | Whakaturetanga

- [Crown Entities Act 2004](#)
- [Education and Training Act 2020](#)

UC Policy Library | Te Pātaka Kaupapa Here

- [Consulting Policy](#)
- [Employee Disciplinary Policy](#)
- [Gifts Policy](#)
- [Procurement Policy](#)
- [Staff Code of Conduct](#)
- [Sensitive Expenditure Policy](#)
- [Privacy Policy](#)
- [Protected Disclosures Policy](#)

UC Website and Intranet | Te Pae Tukutuku me te Ipurangirotu o UC

- [Conflict of Interest Disclosure Form \(Staff only\)](#)

- [Conflict of Interest Guidance Note \(Staff Only\)](#)
- [Conflict of Interest Guidance Note \(Prohibited Acts\) \(Staff Only\)](#)
- [Conflict of Interest Intranet site \(Staff only\)](#)
- [Conflict of Interest Procedures \(Staff Only\)](#)

External | Mōwaho

- [Managing conflicts of interest: a guide for the public sector](#)

Document History and Version Control Table			
Version	Action	Approval Authority	Action Date
<i>For document history and versioning prior to 2023 contact ucpolicy@canterbury.ac.nz</i>			
1.00	Conversion of document into new template and hyperlinks updated	Policy Unit	Sep 2013
1.01	Document review date pushed out.	Policy Unit	Mar 2014
1.02	Hyperlinks updated, formatted.	Policy Unit	Jul 2014
2.00	Scheduled review by Contact Officer.	Policy Unit	Jul 2015
2.01	Updates to Procurement Policy hyperlink; clarification of scope of register of interests to bring in line with changes to 2016 Delegations Schedule.	Policy Unit.	Mar 2016
2.02	Added reference to Local Authorities (Member's Interests) Act 1968.	Policy Unit	May 2017
3.00	Major changes, content added around line manager responsibility, reformatting of content and flow charts in appendices.	Council	May 2019
3.01	Minor changes including replacing Senior Management Team with Senior Leadership Team to reflect the current University structure.	Policy Unit	Jun 2020
4.00	Major changes	Council	Mar 2023
4.01	Minor Error Correction	Policy Unit	June 2023
4.02	Minor updates to hyperlinks and replacement of appendices with hyperlinks	Policy Unit	Sep 2023