

**Employee Conflicts of Interest**

**Procedure**

**Purpose**

This procedure outlines the operational requirements for managing conflicts of interest at

ARPC.

**Scope**

This Procedure applies to all ARPC employees. ARPC Board Members’ conflict of interest declarations are managed through the Board Charter.

**1. Introduction**

ARPC is committed to promoting a culture of ethical business and personal conduct. Effectively managing conflicts of interest is critical to maintaining ARPC’s integrity, credibility and reputation with our stakeholders in the private sector and within Government.

Under the *Public Governance, Performance and Accountability Act 2013* (PGPA Act), obligations are placed on all ARPC Officials (defined under section 13 of the PGPA Act as all Board Members and ARPC employees), including:

• acting with care and diligence (section 25),

• acting honestly, in good faith and for a proper purpose (section 26),

• demonstrating proper use of his or her position, without gain or advantage for self or any other person (section 27),

• demonstrating proper use of information obtained in the course of employment with ARPC, without gain or advantage for self or any other person (section 27), and

• demonstrating open disclosure of any material personal interest that relates to ARPC’s business operations (section 29).

ARPC employees must be aware of the potential for conflicts of interest to occur and:

• take proactive measures to avoid being placed in a situation where a conflict may arise, and

• declare conflicts which have arisen or are likely to arise.

**2. Identifying and declaring a conflict of interest**

A conflict of interest can be actual, potential or perceived, and can arise in any situation where an APRC employee (their relatives or friends) can benefit, or can be perceived to benefit, from a decision by an ARPC employee or association with an ARPC employee.

**2.1 Identifying a conflict of interest**

A conflict of interest may arise through financial and personal relationships. Examples of actual, potential or perceived conflicts are where an ARPC employee:

• has a significant personal interest in an activity directly affected by a change in Government policy or regulation on which the employee is advising the Government,

• has an interest in a private business, and his or her duties require decisions on contracts with, or concessions for that business,

• is responsible for making purchasing recommendations, and recommends a supplier with whom he or she has a close personal relationship with,

• receives a gift or corporate hospitality or provides hospitality without complying with ARPC’s Receiving Gifts and Benefits Procedure or APRC’s Giving Official Hospitality Procedure,

• is in a position to influence performance outcomes for an employee with whom he or she shares a close personal or family relationship,

• has engaged in a close relationship (personal or financial) with an employee, or

• is recruiting for a role where relatives or friends are candidates.

A close personal relationship can include relationships through family ties, friendships or other associations such as a current or past romantic relationship.

**2.2 Declaring a conflict of interest**

Employees must declare any actual, potential or perceived conflicts of interest to the Senior Executive responsible for Governance and Compliance.

If employees are uncertain whether or not a conflict exists, they should discuss the situation with their immediate manager.

In addition, Employees who have engaged in a close relationship (personal or financial) with another employee, must immediately disclose the relationship to a member of the Senior Executive Team or Human Resources. This is to enable ARPC to appropriately manage any potential conflicts of interest.

**3. Managing conflicts**

The Chief Executive Officer, in consultation with the Senior Executive responsible for Governance and Compliance; and Human Resources, is responsible for initiating processes to deal with any actual, potential or perceived conflicts of interest. Where it is believed an employee is unable to carry out their role as a result of the conflict, ARPC will review the circumstances and may:

• reassign an employee to another function or leader,

• adjust an employee’s responsibilities,

• create appropriate restrictions on financial delegations,

• remove the ability for the employee concerned to influence career advancement and performance assessment of other involved individuals, or

• remove related employees from recruitment selection and performance assessment processes.

ARPC will negotiate and seek to agree alternative arrangements with the employees concerned if personal and family conflicts cannot be appropriately managed. Where the ensuing conflict of interest involves a leader and their subordinate (either directly or indirectly), the resolution may result in termination of employment.

**4. Failure to comply with Conflicts of Interest Procedure**

A failure to comply with this Procedure may result in the withdrawal of benefits and/or disciplinary action (including termination of employment). A breach of this procedure may also be a breach of ARPC’s Code of Conduct, Enterprise Agreement and PGPA Act.

Where an employee is suspected of non-compliance with this Procedure, they may be subject to disciplinary action in accordance with the Code of Conduct Breach Procedure. This could include being directed to cease work immediately, and/or directed to leave the workplace immediately.

**5. Responsibilities**

**Leaders**

- be aware of this Conflict of Interest Procedure

- be aware of internal procedures for Receiving Gifts and Benefits and Giving Official

Hospitality

- be aware of areas of conflict of interests within their areas of responsibility

- disclose any conflicts of interest

- provide appropriate advice to ARPC staff on the management of the conflicts of interest

- support ARPC staff to manage conflicts of interest.

**Employees**

- be aware of this Conflict of Interest Procedure

- be aware of internal procedures for Receiving Gifts and Benefits and Giving Official

Hospitality

- disclose conflicts of interest.