
Declaring a Conflict of Interest

Secretariat Guidance December 2013

Purpose

The main goal of managing conflicts of interest is to ensure that decisions are made – and are seen to be made – on legitimate grounds and without bias.

Action required

Declaring a Conflict of Interest - or not - has a number of steps. This is so that conflicts can be identified, monitored and appropriately managed. Failure to make declarations of any conflicts of interest as outlined above or failure to make complete and timely declarations may undermine the Deed, its implementation and compromise the partnership established under the Deed.

Step 1

The attached [Conflict of Interest declaration form](#) must be completed by all representatives of organisations who are involved in the development or implementation of the Deed and its processes including, but not necessarily limited to, the Deed Governance Group, Operational Agreements and biosecurity response.

The form must be completed and signed by you as soon as you have been nominated as your organisation's representative to participate in Deed-related processes that result in the commitment of your organisation's resources.

If a conflict of interest exists (real, perceived or potential) it must be outlined in Section 1 of the form, along with the steps that will be taken to manage the conflict.

Step 2

The declaration must be approved and signed by your organisation's Deed representative and retained by your organisation. A copy should be provided to the GIA Secretariat if requested or if required by Deed-related processes.

Step 3

A summary of each should be provided to the GIA Secretariat by way of a [Conflict of Interest Return](#) in the attached template. This records all Conflict of Interest declarations by representatives of a Deed Signatory, including nil returns. The GIA Secretariat will maintain a [Conflict of Interest Register](#) based on the Return that consolidates the returns from all Deed Signatories.

What is a conflict of interest?

A conflict of interest is where someone is compromised when their personal interests or obligations conflict with the responsibilities of their job or position. It means that their independence, objectivity or impartiality can be called into question.

A conflict of interest can be:

- ❖ Actual: where the conflict already exists
- ❖ Potential: where the conflict is about to happen, or could happen
- ❖ Perceived: where other people might reasonably think that a person has been compromised.

A poorly managed 'perceived' conflict of interest can be just as damaging as a poorly managed 'actual' conflict of interest.

A conflict of interest can also be positive or negative. You could be seen to favour or benefit someone, or be against them and disadvantage them. While conflicts of interest should be avoided wherever possible, they often happen innocently. It's how they're managed that counts. In the context of the Deed and related activities, a conflict of interest that's not properly managed could seriously undermine the integrity and intended benefits from biosecurity partnerships

When can a conflict of interest happen?

A conflict of interest can arise in a number of ways; through a relationship; an activity or strong personal views. For example, a person could be compromised if, in carrying out their work duties, they're required to deal with:

- ❖ A relative or close personal friend
- ❖ An organisation, club, society or association of which they're a member
- ❖ A person who is their community or church leader
- ❖ A person or organisation:
 - ... to which they have a professional or legal obligation
 - ... with which they have a business interest or own property
 - ... to whom they owe money
 - ... for whom they've previously worked, or currently work (secondary employment).

When interests conflict

Conflicts of interest are not wrong in themselves, but they should be properly identified and managed effectively and transparently. When a conflict of interest has been ignored, improperly acted on or influenced actions or decision-making, the conduct (not the conflict itself) can be seen as misconduct, abuse of office or even corruption.

Managing conflicts of interest – a declaration

All organisation representatives involved in Deed processes where resources are committed must complete and sign a Conflict of Interest Declaration. They may also be asked to sign a Confidentiality Agreement. This includes, but may not be limited to:

- ❖ All members of the Deed Governance Group
- ❖ All members of Operational Agreement negotiation teams
- ❖ All representatives of organisations involved in a biosecurity incident response

The Declaration requires the person to identify any actual, perceived or potential conflicts of interest.

The Declaration needs to be revisited regularly and checked once the activity is underway. Everyone who has signed one needs to check whether they have a conflict of interest in relation to the activities they are involved in.

Adapted from:

Quick-Guide: Conflicts of Interest. Ministry of Business, Innovation and Employment, New Zealand. <http://www.business.govt.nz/procurement/pdf-library/agencies/QuickguideConflictsOfInterest20JUNE2010FINISHED.pdf>. Accessed 8 November 2013.

Conflict Of Interest Declaration

SECTION 1: CONFLICT OF INTEREST DECLARATION

(✓) I declare that, to the best of my knowledge, there is no actual, perceived or potential current conflict of interest that will or may arise as a result of my involvement in GIA activities.

or

(✓) I declare that I do have an actual, perceived or potential current conflict of interest.

The following conflict(s) exist:

(✓) Should I become aware of an actual, perceived or potential conflict during the period in which I am involved in GIA activities, I will make a further declaration and inform my organisation and relevant Deed partners.

SIGNED:

Name	Organisation	Signature	Date

IF A CONFLICT OF INTEREST IS DECLARED SECTION 2 MUST BE COMPLETED BY YOUR ORGANISATION

SECTION 2: ASSESSMENT AND MANAGEMENT OF ANY CONFLICT OF INTERESTS DECLARED

Consider whether the declared conflict is remote, significant, manageable or unmanageable.

Refer to the GIA Handbook – Conflicts of Interest - for guidance

The following steps have been agreed to avoid/mitigate the conflict(s):

APPROVED ON BEHALF OF [INSERT ORGANISATION] BY:

Name	Position	Signature	Date

The completed form should be retained by the signatory's organisation and a summary provided in a Conflict of Interest Return to the GIA Secretariat.

A copy of this completed form must be provided to the GIA Secretariat on request.

GIA Activity: *[Describe the activity to which the Conflict of Interest Declaration applies]*

Organisation: *[Signatory organisation, or affiliate (describe the relationship to the Deed Signatory)]*

Date: *[Date provided to the GIA Secretariat]*

Name	Position and Role in Deed processes	Date advised of interest	Interest disclosed	Nature of potential conflict and estimated value (if known)	Action taken / recommendations	Date implemented	Review/ comments
Joe Bloggs [EXAMPLE]	Research Director Milk Inc Chief negotiator for Milk Inc in an OA on biosecurity of milk and milk products	1 June 2013	Share holder in Cow Milk Ltd	MPI and Milk Inc intend to procure milk management research services under an Operational Agreement. Cow Milk Ltd may submit a proposal. Funding for the project is from Mr Bloggs' budget The value of the procurement is \$800,000 over 2 years.	Mr Bloggs will not be involved with any of the OA negotiation process until proposals are submitted. If Cow Milk Ltd submits a proposal Mr Bloggs will be removed from the whole negotiation process and the final supplier selection decision will be delegated to John Smith (Milk Logistics Director, Milk Inc)	8 June 2013	Cow Milk Ltd submitted a proposal therefore Mr Bloggs was removed from the whole procurement process. A successful tender was chosen under a fair and transparent process. Ref: OA on biosecurity of milk and milk products Aug 2014
Jane Smith [EXAMPLE]	Research Assistant	4 June 2013	No COI to disclose	N/A	N/A	N/A	N/A

Please provide completed form to secretariat@gia.org.nz

Conflict of Interest Register

Name	Deed Signatory	Position and Role in Deed processes	Date advised of interest	Interest disclosed	Nature of potential conflict and estimated value (if known)	Action taken / recommendations	Outcome	Review/ Lapse date
[Name of Deed Signatory]								
Joe Bloggs [EXAMPLE]	Milk Inc NZ	Research Director Milk Inc Chief negotiator for milk Inc in an OA on biosecurity of milk and milk products	1 June 2013	Share holder in Cow Milk Ltd	MPI and Milk Inc intend to procure milk management research services under an Operational Agreement. Cow Milk Ltd may submit a proposal. Funding for the project is from Mr Bloggs' budget The value of the procurement is \$800,000 over 2 years.	Mr Bloggs will not be involved with any of the OA negotiation process until proposals are submitted. If Cow Milk Ltd submits a proposal Mr Bloggs will be removed from the whole negotiation process and the final supplier selection decision will be delegated to John Smith (Milk Logistics Director, Milk Inc)	Cow Milk Ltd submitted a proposal therefore Mr Bloggs was removed from the whole procurement process. A successful tender was chosen under a fair and transparent process. Ref: OA on biosecurity of milk and milk products Aug 2014	30 June 2014