

Conflict of Interest Policy

Relevant Legislation

Local Government Act 2002
Local Authorities (Members' Interests) Act 1968

Purpose

The purpose of this policy is to:

- promote integrity and to preserve public trust in Western Bay of Plenty District Council by avoiding perceived or actual bias
- protect Elected Members, Members of Community Boards and Council officers and staff.

In accordance with relevant legislation and guidance from the Office of the Auditor-General, this Policy defines a range of circumstances that may constitute conflicts of interest along with procedures for identifying and managing these.

1. Policy

- 1.1 Each individual council officer, elected member and member of a community board is responsible for identifying and declaring conflicts of interest.
- 1.2 A conflict of interest can arise where two different interests overlap, i.e. in any situation where a person has a financial interest, a private or personal interest or business interest sufficient to influence or appear to influence the impartial exercise of their official duties or professional judgement.
- 1.3 The existence of a conflict of interest may not necessarily mean that the officer or elected member concerned has done anything wrong or that the interests of Council or the public have been compromised. For a council officer or elected member a conflict of interest that creates risks may be where their duties or responsibilities to Council could be affected by some other interest or duty they may have. For example, other interests or duties might exist for an officer or elected member because of their own financial affairs; a relationship (private or personal interest) or other role (e.g. a business or community interest) that the officer or elected member has; or something the officer or elected member has said or done.

2. Principles

- 2.1 Council officers and elected members are to conduct themselves at all times under the following principles, ensuring:
 - self-interest or personal factors are not permitted to influence their decision making
 - every precaution is taken to avoid a situation where a conflict of interest, or any perception of a conflict of interest could arise in carrying out their duties

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- that financial, familial, personal or business relationships or interests do not in fact, nor appear to, unfairly advantage or disadvantage other Council officers, elected members or other individuals or organisations
 - staff must inform their manager as soon as practicable if an actual, perceived or potential conflict of interest arises. Their manager is responsible for taking appropriate steps to resolve the situation
 - If a conflict of interest arises between colleagues working in the same area, or who are in a supervisory relationship with each other and the conflict cannot be resolved, it may be necessary for one or more parties to the conflict to be placed in another reporting context within Council
 - Council officers and elected members must not be involved in the appointment process of people with whom they have a close personal or familial relationship
- the highest standards of behaviour in accepting gifts or rewards. Any gift that might attract the suspicion of improper motive, or which obligates the individual should not be accepted. In any event all gifts offered (received or not) are to be declared in the appropriate gifts register
- Council's name, resources, information and time are not used for private or personal benefit without prior written consent of an authorised person
- If an elected member is in any doubt as to whether they should declare an interest and stand aside from decision making (including a decision to take no action), then they should inform the Mayor immediately and seek advice from the Office of the Auditor-General (as to whether there is a financial interest) or from their own legal advisor.
- If a Council officer is in any doubt as to whether they should declare an interest and stand aside from decision making (including a decision to take no action), then they should inform and seek guidance from the Governance Manager.

3. Consequence of breach of this Policy

3.1 Elected Members:

If an Elected Member has a financial interest in a matter and participates in discussion and voting on it, they will have committed an offence under the LAMIA. In the event of a conviction, an elected member can be removed from office.

An elected member's bias (whether actual or perceived) has the potential to invalidate the particular decision made, or the action taken, by Council (if successfully challenged by way of judicial review). If an Elected Member's conduct has contributed to Council incurring a loss; that conduct could also result in personal financial liability under section 46 of the Local Government Act (2002).

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- 3.2 Under the Local Authorities (Members' Interests) Act 1968 (LAMIA) an elected member will be disqualified from office, or from election to office, if that member is concerned or interested in contracts or subcontracts (either directly or indirectly) under which payments made by (or on behalf of) Council exceed \$25,000 in any financial year (unless there is an exemption granted by the Office of the Controller and Auditor-General).
- 3.3 The \$25,000 payment limit includes GST. The limit relates to the value of all payments made for all contracts in which a member is interested during the financial year. It does not apply separately to each contract, nor is it just the amount of the profit the contractor expects to make or the portion of the payments to be personally received by the member.
- 3.4 Council Officers:
For Council officers, breach of this policy may be considered a material breach of Council's Policies and Procedures and may be subject to Council's disciplinary process.

4. Responsibilities

- 4.1 Council officers and elected members are responsible for identifying and disclosing conflicts of interest. The occurrence of an actual, potential or perceived conflict of interest is not in itself an indication of misconduct, however failure by a council officer to declare a conflict of interest could result in disciplinary action up to and including dismissal. Elected members may be removed from office for certain breaches of the LAMIA and are required to exercise their roles and duties in accordance with established principles of fairness and judicial responsibility. Elected members' obligations of conduct are set out in the Western Bay of Plenty District Council's Code of Conduct.
- 4.2 Conflicts of interest must always be declared as they constitute potential risks to Council, which must be managed. Such risks may not be limited to pecuniary interests but may include damaging Council's reputation with regard to the integrity of decision-making processes and public trust.
- 4.3 Council officers and elected members, including community board members and committee appointees should acquaint themselves with the Associated Policies and Procedures.
- 4.4 All senior Council officers are responsible for applying this policy and ensuring that their staff adhere to it. If Council officers are unclear about the application of this policy to specific circumstances or situations they should seek clarification from their manager who may seek clarification or advice from their Group Manager.
- 4.5 All senior Council officers (third tier managers and above) and all elected members including members of community boards must disclose at least annually in writing, any significant interests they may have in other organisations.

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Disclosure provides transparency and protects those concerned from allegations of duplicity and enables the avoidance of being unwittingly placed in situations that may lead to a conflict of interests. Council staff declarations will be held in the Council Officers' Interests Register, and the elected members' and community board members' declarations will be held in the Elected Members' Interests Register, with both registers being maintained by the Governance Manager.

- 4.6 It is important that Council officers and elected members have access to good information and training that is regularly reviewed and updated so they are clear about what to do if they think they have a conflict of interest at any stage, and fully understand their responsibility to identify and disclose it.
- 4.7 Training includes receiving and dealing with disclosures of conflicts of interest, knowing how and when to access professional advice and support, and handling complaints or breaches of the policy.
- 4.8 The process for investigation and determination of complaints is outlined in Appendix One.

5. Definitions

- 5.1 A conflict of interest is any situation when a person has a financial interest, a private or personal interest or business interest sufficient to influence or appear to influence the impartial exercise of their official duties or professional judgement. The potential actual or perceived conflicts of interests detailed below, do not constitute an exhaustive list. It is not possible to anticipate every situation and some situations will require Council and management to exercise judgement on a case by case basis.

See (Appendix 3) for definition descriptions.

- 5.2 Financial Interest
The term financial interest means anything of monetary value, including but not limited to:

- Salary or payments for service, e.g. consulting fees and honoraria
- Equity interests, e.g. stocks, stock options and other ownership interests
- Koha gifts and hospitality
- Allowances, forgiveness or debts, interests in real estate or personal property, dividends, rents, capital gains; and
- Intellectual property rights, e.g. patents, copyrights and royalties from these rights.

The term financial interest does not include salary or other remuneration received from or approved by Council.

- 5.3 Personal Interest
A Council officer or elected member has a personal interest in a matter if their spouse or partner, or other person in their family with whom there is a close friendship, could be advantaged or disadvantaged by any decision that the

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officer or elected member either can make, or does make, or is in a position to influence.

5.4 Business Interest

A Council officer or elected member will have a business interest in an enterprise seeking to do business with the Council if they:

- are a director of the enterprise
- are an owner of or partner in the enterprise
- have a significant shareholding (equal to or greater than 20% shareholding) in the enterprise
- have a close personal or familial relationship with a person who is an owner or partner or significant shareholder in the enterprise.

6. Identifying and Managing Conflicts of Interest

6.1 Council officers and elected members are responsible for identifying and managing conflicts of interest. Guidelines to assist with this are provided in **Appendix 1**.

Refer to **Appendix 2** for the Process for the investigation and determination of conflicts of interest and/or complaints relating to this Policy.

Associated Policies and Guidelines

Fraud and Corruption Prevention Policy
Sensitive Expenditure Policy
Human Resource Policies and Procedures

Codes of Conduct

Code of Conduct (Elected Members)
Code of Conduct (Community Board Members)

Associated Procedures

Payments to Related Parties
Declaration of Interests (Elected Members)
Declaration of Interests (Community Board Members)
Declaration of Interests (Management Staff)
Declaration of Gifts received/offered (Elected Members)
Declaration of Gifts received/offered (Community Board Members)
Declaration of Gifts given/offered (Elected Members)
Declaration of Gifts given/offered (Community Board Members)
Declaration of Gifts received/offered] (Employees)
Declaration of Gifts given/offered (Employees)

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1. Guidelines for Identifying and Managing Conflicts of Interests

1.1 What is a conflict of interest?

A conflict of interest is any situation where a person has a financial interest, a private or personal interest or business interest sufficient to influence or appear to influence the impartial exercise of their official duties or professional judgement.

Conflicts of interest may be actual or perceived to exist or potentially exist at some time in the future.

Perception of a conflict of interest is important to consider because public confidence in the integrity of the Council is paramount.

1.2 Is it wrong to have a conflict of interest?

A conflict of interest in itself is not necessarily detrimental or unethical. However, it is unethical and may be detrimental to fail to disclose and appropriately manage a conflict of interest.

It is impossible to eliminate all situations that may lead to a conflict of interest but such situations can be managed to avoid the adverse effects that could result. This Policy is not intended to regulate or eliminate all occurrences of conflicts of interest but enables officers and elected members to recognise situations that may be subject to scrutiny and ensure those situations are dealt with properly.

1.3 Recognising an actual or potential conflict of interest

Being aware of the most common types of conflict of interest and the areas of Council where they are most likely to arise will assist in recognising actual, potential and perceived conflicts of interest.

The most common types of conflict of interest arise from financial, personal and/or business interests as detailed above in 5.2, 5.3, 5.4 of Council's Conflict of Interest Policy.

Every area of Council has the potential for incidences of conflicts of interest however, the most sensitive areas are expected to be:

- tenders and contracts
- procurement
- allocation of grants
- gifts, benefits and hospitality
- sponsorship
- recruitment, selection and appointment
- secondary employment.

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1.4 Identifying and determining conflicts of interest

Mindful of the types of conflict of interest (financial, personal, business) and most likely areas (as above), ask yourself the following questions:

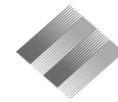
- **Public duty versus private interest**
Do I have personal or private interests that may conflict or be perceived to conflict with my duties for Council, my public duties?
- **Potential conflicts**
Could there be benefits for me now or in the future that could cast doubt on my objectivity?
- **Perception**
Perception is paramount. How will my involvement in this decision/action be viewed by others? Are there any risks associated for Council or me?
- **Proportionality**
Does my involvement in the decision appear fair and reasonable in all the circumstances?
- **Presence of mind**
What are the consequences if I ignore or fail to declare a conflict of interest? What if my involvement is questioned publicly?
- **Promises**
Have I made any promises or commitments in relation to the matter? Do I stand to gain or lose from the proposed action/decision?

1.5 Managing Conflicts of interest

Ways in which conflicts can be managed include:

- **Record/register**
Maintaining a register of declared interests is unlikely to resolve actual or perceived potential conflicts of interest but presents opportunities for managing conflicts of interest. The following strategies, if appropriately employed, may be sufficient to remove, isolate or mitigate any risk.
- **Restrict**
It may be appropriate to restrict involvement in the matter, e.g. refrain from taking part in debate about a specific issue; abstain from voting on decisions, and/or restrict access to information relating to the conflict of interest. If this situation occurs frequently, an ongoing conflict of interest is likely, and consideration should be given to other options.

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- **Recruit**
If it is impractical to restrict involvement, an independent third party may be engaged to participate in, oversee or review the integrity of the decision-making process.
 - **Remove**
Removal from involvement in the matter altogether is the best option when ad hoc or recruitment strategies are not feasible or are inappropriate.
 - **Relinquish**
Relinquishing the personal or private interests may be a valid strategy for ensuring there is no conflict with public duty. This may include relinquishing shares or membership of a club or association.
 - **Resign**
Resignation may be an option if the conflict of interest cannot be resolved in any other way, particularly where conflicting private interests cannot be relinquished.
- 1.6 Council officers and elected members have an obligation to serve the best interests of the Western Bay of Plenty District Council. Secondary employment could potentially lead to a conflict of interest. Council Officers must seek management approval prior to being engaged in secondary employment. Elected members and Community Board Members are required to declare any potential, actual or perceived conflict or interest, including employment and business interests, when they arise.
- 1.7 Council officers and elected members are personally responsible for identifying and declaring conflicts of interest and must take every precaution to avoid situations where a conflict of interest may arise, or be perceived to arise, in carrying out their duties.
- 1.8 Each individual situation arising must be managed in consideration of its unique circumstances. [Case studies](#) provided by the Office of the Auditor-General in the good practice guide, *Managing conflicts of interest: Guidance for public entities*, June 2007, should be used for reference only.

Process for the investigation and determination of conflicts of interest and/or complaints relating to this Policy

Summary

There is a five-stage process for dealing with the investigation and determination of conflicts of interest and/or complaints under this Policy:

Stage 1: Acknowledgement of the complaint and the respondent is informed.	Employees and Elected Members
Stage 2: Preliminary assessment of the complaint – led by either the CEO or an independent investigator.	
Stage 3: Informal resolution of complaint (where alleged breach is considered non-material).	Elected Members
Stage 4: Independent investigator assessment where: <ul style="list-style-type: none"> • the alleged breach is considered material; • the complaint has not been able to be resolved informally; or • the complaint is otherwise referred to an independent investigator by the CEO. 	
Stage 5: The Council's consideration of the investigator's report.	

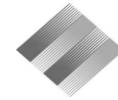
Note:

The Policy applies to the identification and management of conflicts of interest that arise in relation to the role and duties of council officers and elected members. Elected members are required to comply with the provisions of the Code of Conduct for Elected Members, which sets out further detail regarding disclosure and the receipt of complaints regarding conflicts of interest.

Stage 1: Acknowledgment of complaint

1. Within two working days of receipt of a complaint, the CEO will:
 - a. acknowledge receipt and refer the complainant to the process for dealing with the complaint under this Policy.
 - b. inform the respondent that a complaint has been made against them and refer them to the process for dealing with the complaint under this Policy.

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Stage 2: Preliminary assessment of complaint

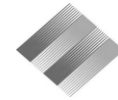
2. Where a complaint relates to an employee, the assessment process set out below will be carried out by the CEO and thereafter Council's Human Resources Policies and procedures will be followed.
3. In the case of an elected member the following procedure applies, however the assessment will be managed by the CEO and the Mayor (or Deputy Mayor where the complaint relates to a conflict of interest in respect of the Mayor).

Complaints relating to Elected Member conduct will be made to the persons specified on page 15 of the Code of Conduct for Elected Members, being the CEO, Mayor or Deputy Mayor, as applicable. The exact nature of the action taken by Council will depend on the nature of the breach and whether there are statutory provisions dealing with the breach.

The CEO will assess whether:

- a. the complaint is frivolous or without substance and should be dismissed;
 - b. the complaint is outside the scope of this Policy and should be redirected to another agency or process;
 - c. the subject of the complaint has previously been assessed and actions have been completed in accordance with this Policy to address the complaint;
 - d. the complaint is not material and should progress to informal resolution (refer to Stage 3); or
 - e. the complaint is material and a full investigation is required by an independent investigator.
4. The CEO may request further information/evidence from the complainant in support of the complaint and, if considered appropriate, may also request a preliminary statement in response from the respondent.
 5. Where the CEO determines the complaint falls under paragraphs 2(a) or (c) above, the CEO will inform the complainant and the respondent directly. The CEO will also inform other elected members of the decision, unless there are grounds for the matter to remain confidential.
 6. If it is determined that the complaint involves a potential legislative breach and is outside the scope of this Policy, the CEO will forward the complaint to the relevant agency and inform both the complainant and respondent of the action.
 7. Where the CEO (and in the case of an elected member, the Mayor or Deputy Mayor) determine the complaint is material, the matter must immediately be referred to an individual investigator for assessment (Stage 4).
 8. The CEO has full discretion to refer any complaint to an independent investigator at any stage, even if it is considered not material.

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9. The preliminary assessment of a complaint under Stage 2 will be completed within seven working days of receipt of the complaint. If additional time is required to complete the assessment, the CEO must notify the complainant and respondent with the date when the preliminary assessment is expected to be completed.

Stage 3: Informal Resolution

10. Where the CEO (and in the case of an elected member, the Mayor or Deputy Mayor) determine the complaint falls under paragraph 2(d) (refer to Stage 2), they will endeavor to settle the matter informally between the parties within 10 working days from the completion of Stage 2. The process for informal resolution must be fair to, and include, the affected parties.
11. The outcome of this initial process may be that the parties reach an informal agreement to resolve the complaint, in which case no further action is required. A written record of the informal agreement must be kept by the CEO's office.
12. If agreement is not possible between the parties under Stage 3, the CEO will refer the complaint to an independent investigator for full investigation.
13. For clarity, Stage 3 is not available if the complaint has been assessed as material under Stage 2 or referred to an independent investigator under paragraph 7 above.

Stage 4: Independent Investigator Assessment

14. Where the CEO (and in the case of an elected member, the Mayor or Deputy Mayor) determines the complaint falls under paragraph 2(e) in Stage 2, or the complaint is not otherwise resolved, the CEO will refer the complaint to an independent investigator selected from the approved Panel of Independent Investigators.
15. On receipt of a complaint the investigator will, if appropriate, assess whether:
 - a. the complaint is frivolous or without substance and should be dismissed;
 - b. the complaint is outside the scope of this Policy and should be redirected to another agency or process;
 - c. the subject of the complaint has previously been assessed and actions have been completed in accordance with this Policy to address the complaint;
 - d. the complaint is non-material; or
 - e. the complaint is material and a full investigation is required.

Principles

16. The following principles will guide any processes for investigating and determining whether a breach under this Policy has occurred:
 - a. that the approach for investigating and assessing a complaint will be proportionate to the apparent seriousness of the breach complained about;

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- b. that the roles of complaint, investigation, advice and decision making will be kept separate as appropriate to the nature and complexity of the alleged breach; and
 - c. that the concepts of natural justice and fairness will apply in the determination of any complaints made under this Policy. This requires, conditional on the nature of an alleged breach, that affected parties:
 - have a right to know that an investigation process is underway;
 - are given due notice and are provided with an opportunity to be heard;
 - have a right to seek appropriate advice and be represented;
 - have their privacy respected.
17. The investigator must carry out their assessment in accordance with the principles and within the terms of engagement provided by the CEO. The assessment must be completed and sent to the CEO as soon as possible, no later than 20 working days from the date the complaint is referred to the investigator (unless otherwise agreed with the CEO).
18. In making the assessment, the investigator may make whatever initial inquiry is necessary to determine the materiality of an alleged breach and to recommend the appropriate course of action. The investigator has full discretion to recommend any complaint is dismissed which, in their view, fails to meet the test of materiality.
19. On receiving the investigator's assessment, the CEO will:
- a. where an investigator determines that a complaint is frivolous or without substance or previously been assessed and actioned under the Policy, inform the complainant and the respondent directly and inform other elected members (if there are no grounds for confidentiality) of the investigator's decision; or
 - b. in cases where the investigator finds that the complaint involves a potential legislative breach and is outside the scope of this Policy, forward the complaint to the relevant agency and inform both the complainant and respondent of the action.

Stage 4A: Actions where a breach is found to be non-material – Elected Members

20. The investigator will inform the CEO if they find the breach is non-material as part of their assessment (under Stage 4), and, if they choose, recommend a course of action appropriate to the breach, such as the respondent:
- a. receiving direction from the CEO and the Mayor (or Deputy Mayor as appropriate) regarding behaviour or conduct expected from elected members (as applicable);
 - b. attending appropriate training or counselling to better understand the behaviour or conduct that is expected from elected members (as applicable) in circumstances that led to the complaint.
21. The CEO in consultation with the Mayor (or Deputy Mayor, as appropriate) may determine which recommendation, if any, from the independent investigator's assessment should be actioned. The CEO will advise both the complainant and the respondent of the investigator's findings, which are not open to challenge, and any recommendations to be actioned. The CEO will also notify other elected members, unless there are grounds of confidentiality.

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A written record must be kept by the CEO's office.

22. If the CEO and the Mayor (or Deputy Mayor) do not agree on the investigator's recommendations to be actioned, the CEO must report the investigator's assessment to Council for determination (refer to Stage 5).

Stage 4B: Actions where a breach is found to be material – Elected Members

23. The investigator will inform the CEO if they find that the breach is material as part of their assessment (Stage 4). The CEO will then inform the complainant and respondent. The investigator will then prepare a report for the Council on the seriousness of the breach.
24. In preparing the report the investigator must:
- a. consult with the complainant, respondent and any affected parties; and
 - b. refer to any relevant documents or information provided by the CEO, and may undertake a hearing with relevant parties.
25. On receipt of the investigator's report, the CEO will prepare a report for the Council which will meet within a month of the CEO receiving the investigator's report, to:
- a. consider the findings of the investigator's report; and
 - b. determine whether a penalty, or some other form of action, will be imposed.

The CEO's report will include the full report prepared by the investigator, including any recommendations.

26. The CEO will share the investigator's report with the complainant and respondent under strict confidentiality inviting them to reply in writing as to whether they agree to the findings and whether they wish to make a written submission for consideration by Council. The complainant and respondent must not disclose or discuss the investigator's report with any person other than the CEO (and/or the Mayor or Deputy Mayor, as appropriate) prior to the Council meeting being held to determine the complaint.

Stage 5: The Council's consideration of an investigator's report – Elected Members

27. The CEO's report (with the investigator's full report or assessment, and any submissions from the complainant or respondent, attached) will be considered by full Council, excluding any interested members (including the complainant (if relevant) and respondent), only if:
- a. the CEO and Mayor do not agree on which recommendations from the investigator, if any, are to be actioned for a non-material breach (refer Stage 4A); or
 - b. the breach is found to be material (refer Stage 4B).

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28. The Council will consider the CEO's report in an open meeting except where the alleged breach concerns matters that justify the exclusion of the public, such as the misuse of confidential information or a matter that would otherwise be exempt from public disclosure under section 48 of the Local Government Official Information and Meetings Act 1987, in which case it will be considered in a Public Excluded meeting.
29. Before making any decision in respect of the investigator's report Council will provide the respondent an opportunity to appear and speak in their own defense. Members with an interest in the proceedings may not otherwise take part in these proceedings.
30. The form of penalty that might be applied will depend on the nature of the breach and may include actions set out below:

Penalties and actions – Elected members

31. Where a complaint is determined to be a material breach of this policy and referred to Council for determination, the nature of any penalty or action will depend on the seriousness of the breach.
32. In the case of material breaches of this Policy the Council may require one or more of the following:
 - a letter of censure to the member
 - a request (made either privately or publicly) for an apology
 - a vote of no confidence in the member
 - removal of certain Council-funded privileges or Council appointments
 - restricted entry to Council offices, such as no access to staff areas (where restrictions may not previously have existed)
 - limitation on any dealings with Council staff so that they are confined to the CEO only
 - suspension or removal from Committees (including joint committees), task forces or other representative type bodies
 - an invitation for the member to consider resigning from the council
 - dismissal of the elected member from a position such as Deputy Mayor or Chairperson of a committee. A Mayor cannot be asked to resign.
33. The Council may decide that a penalty will not be imposed where the respondent agrees to one or more of the following:
 - attend a relevant training course
 - work with a mentor for a period
 - participate in voluntary mediation (if the complaint involves a conflict between two members)
 - tender an apology.

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34. The process is based on the presumption that the outcome of a complaints process will be made public unless there are grounds, such as those set out in the Local Government Official Information and Meetings Act 1987 (LGOIMA) for not doing so.

Breaches of Legislation

35. If there are statutory provisions dealing with the issue in question, the issue will not be dealt with as a breach of this Policy but may be addressed in accordance with the relevant statutory provisions:
- Issues relating to members' interests may render members liable for prosecution by the Auditor General under the Local Authorities (Member's Interests) Act 1968 and, if convicted, the Member can be removed from office;
 - Issues which result in Council suffering financial loss or damage may be reported on by the Auditor General under the LGA, which may result in the member having to make good the loss or damage;
 - Issues relating to the commission of a criminal offence may leave the Elected Member liable for criminal prosecution. Council may refer an issue to the relevant body, any member of the public may make a complaint to that body, or the Auditor- General or the Police may take action of their own initiative.

Breaches of Policy during meetings

36. It is expected that compliance with the provisions of this Policy during a meeting shall be dealt with by the Chairperson of that meeting, within Standing Orders, at the time the breach arises.
37. Elected members should raise alleged breaches of this Policy with the Chairperson at the time. If an elected member believes that an alleged breach of the Policy has not been dealt with adequately by the Chairperson at a meeting that elected member may initiate the procedures set out under the investigation and determination of complaints section of this Policy.

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Term	Definition
Bias	This is common legal description of some types of conflict of interest, especially those situations that involve predetermination. In this guidance, we use the term "conflict of interest" to include situations that may be labelled as bias or predetermination.
Gift	A gift is something given to a person willingly and without payment. Gifts given or received in relation to undertaking Western Bay of Plenty District Council business must be declared in compliance with Western Bay of Plenty District Council Policy HR200-205 Giving and Receiving Gifts.
Interest in a matter	This refers to a direct or indirect connection to another matter which is separate from but related to the matter in hand.
Hospitality	In the context of this policy, hospitality infers the expense involved in being generous and friendly when hosting guests or being hosted. The expense can relate to a variety of expenditure, including food, beverages, accommodation and entertainment. Hospitality whether given or received must be declared in compliance with Western Bay of Plenty District Council Conflicts of Interest Policy and Procedures.
Koha	A Koha is a present, offering, donation, contribution and when given or received as such must be declared in compliance with Western Bay of Plenty District Council Conflicts of Interest Policy and Procedures.
Elected Member or Official	Refers to any person who works for Western Bay of Plenty District Council. They could be a statutory office holder, Mayor, Councillor, Community Board member, or appointed committee member or employee. For the purposes of this policy we also regard someone who is a contractor or consultant to Western Bay of Plenty District Council as an official.
Non-pecuniary interest	This is where there is the potential or perceived potential for a benefit, that is not a financial gain. It could be a professional gain, or could involve close personal relationships.
Official role	Refers to the duties or responsibilities a member or official has to Western Bay of Plenty District Council.
Other interest	This refers to a staff member's or official's separate interest or duty, which comes into conflict with their official role. Usually, the "other interest" will be personal or private in nature, but sometimes it could relate to a duty as well. The other interest might also actually belong to someone else connected to the staff member or official.
Pecuniary interest	This refers to a potential actual or perceived financial gain.

Group	Finance & Technology Group	Contact	Group Manager
Supersedes	HR205		
Creation Date	21 August 2009	Resolution Reference	FR714 1707011
Last Review Date	18 April 2019	Resolution Reference	C25.14
Review Cycle	Three yearly/legislative revisions, not later than	Date	February 2022
Authorised by	Management Team		9 April 2019
	Council	Date	18 April 2019