



## Conflict of Interest Policy

### What is the purpose of this policy?

The purpose of this policy is to ensure that all actual, potential, or perceived conflicts of interest are promptly identified, disclosed and effectively managed. Managing conflicts in a consistent and open manner is critical to upholding the integrity of Education New Zealand Manapou ki te Ao (ENZ) and the broader public sector. The policy underpins robust decision-making by ensuring that actions are taken, based on objective, legitimate considerations, free from personal bias or undue influence. The failure to properly address conflicts of interest can erode public trust, undermine ENZ's credibility and harm its reputation. Everyone is encouraged to disclose all actual, potential, or perceived conflicts of interest – **“if in doubt declare it”**. This policy should be read in conjunction with ENZ's [Code of Conduct](#) and the [Conflict of Interest Procedure](#).

### Who is covered by this policy?

This policy applies to board members, advisory board members, employees, contractors, consultants, temporary and casual employees.

### What is a conflict of interest?

A conflict of interest is where the responsibilities you have as an ENZ employee or office holder are affected by some other interest you have in your private life. That other interest could be a relationship, a role in another organisation, or a business interest. It means that your independence, objectivity or impartiality can be called into question. In all situations, your conflict might be actual or perceived, that is, you might have an actual conflict, or there could be no conflict, but to an outside observer it looks like there is.

Having a conflict of interest does not necessarily mean you have done anything wrong. The “rules” for managing conflicts of interest in the public sector are generally stricter than in the private sector. If you work for a public organisation, the public needs to have confidence that any decisions you make or involved in:

- are made impartially and for the right reasons and
- are not influenced by personal interests and
- are not influenced by ulterior motives.

It is normal and expected that employees will have a range of interests outside of their work. An interest is any personal connection, activity, or involvement that has relevance to you, for example, family relationships, community roles, memberships, investments, or secondary employment. A conflict of interest arises only when one of those interests overlaps with, or could be seen to overlap with, your duties or decision-making responsibilities. In other words, you can have many interests, but a conflict occurs when those interests could improperly influence, or appear to influence, how you carry out your role at ENZ.

As described by the Office of the Auditor General, it can be helpful to categorise conflicts in order to work out how best to manage them:

- **Financial conflict** - any situation where you stand to gain or lose financially from a decision you are asked to make.
- **Non-financial conflict** - any situation where you are not affected financially by a decision but are affected in some other way that might make you biased or appear to be biased.
- **Conflict of roles** - any situation where you are a decision-maker for two different organisations about the same matter.
- **Predetermination** - any situation where you may appear to have made up your mind before considering all the relevant evidence. This perception often arises from things you have previously said or done, which may suggest a lack of openness or impartiality.

Further details can be found on the [Office of the Auditor-General website](#).

### How can conflicts of interest arise?

Conflicts of interest can arise at any time. You might know from the outset, when you start in a role with a public organisation, that you have an outside interest that could result in a conflict of interest. Or you might take on a new role or appointment outside of work that could lead to a conflict at work. Or something might crop up, or your role at work might change, so that something that was not a conflict before becomes a potential conflict. In short, everyone at ENZ needs to always remain alert to the possibility of conflicts.

### What are some examples of conflicts of interest?

Conflicts of interests can arise in many different situations. You must declare any interests that could influence, or be perceived to influence, your work or decisions at ENZ. Some examples of interests that may require a declaration include if you:

- Are an employee, contractor, advisor, Board member, director, shareholder, or partner of another organisation
- Are pursuing a business opportunity
- Are a member of a club, society or association (excluding unions) related to international education
- Have a professional or legal obligation to someone else (such as acting as a trustee)
- Hold a beneficial interest in a trust (including family trust)
- Owns shares, investments or other assets related to education or your role at ENZ
- Have received a gift, hospitality or other benefit from someone in connection with ENZ (see the [Gifts and Hospitality from Third Parties Policy](#) for more information)
- Hold another public office
- Engage in political activity, campaigning, lobbying or activism that may compromise political neutrality, affect impartiality or create a perception of bias toward a particular person or issue
- Are a relative, spouse or partner or close friend of someone who could be personally affected by a decision of ENZ.

You must declare any positions you hold in other organisations, including public office, whether you are an employee, advisor, director, partner or trustee. This applies even if you believe that these roles do not overlap or conflict with the work of ENZ.

## How are conflicts of interest managed?

Managing conflicts of interest involves two key steps: identifying and disclosing the conflict, and determining the appropriate action, if any.

You are primarily responsible for identifying and disclosing any actual, potential, or perceived conflicts of interest in a timely and effective manner. You are in the best position to recognise when something in your work might overlap with your personal, professional, or financial interests. Even if the situation seems minor or unclear, it is better to be open and disclose the interest.

If you're unsure whether something constitutes a conflict of interest, it's safer and more transparent to disclose it anyway. Others, such as your people leader or Board Chair, can also support in the assessment of the situation and decide whether any action is required to manage the conflict appropriately.

If your people leader or a member of the leadership team becomes aware of a conflict of interest (actual or perceived) that you haven't declared, they may prompt you to make a formal declaration under this policy. If needed, they may also submit a declaration on your behalf, after discussing the situation with you.

If you are a Board member or the Chief Executive, you are required to maintain continuous disclosure of all actual or perceived conflicts of interest in the Interests Register. This register must be kept up to date and reported on at each Board meeting. Failing to disclose relevant interests may breach your statutory duties and could result in removal from office or other disciplinary action.

Please refer to the [Conflict of Interest Procedure](#) for full details on how to identify, manage, and declare conflicts of interest at ENZ.

## Who can I approach for assistance?

Your people leader, a member of the leadership team, the Board Secretariat or the Director People & Capability can assist with any aspect of the Conflict of Interest Policy.