

Conflict of Interest Management

This checklist sets out a structured approach to **identifying, declaring and managing** conflicts of interest. It should be read in conjunction with your organisation's conflict of interest policy.

This checklist supports compliance with:

- ▼ *State Service Act 2000 (Tas)*
- ▼ *Integrity Commission Act 2009 (Tas)*
- ▼ [Organisation name] Conflict of Interest Policy.

When to use this checklist:

- ▼ Before participating in decision-making
- ▼ Before accessing sensitive or non-public information
- ▼ When circumstances or interests change.

Conflicts of interest may be:

- Actual:** A real and existing conflict between your public duties and private interests
- Perceived:** A situation where a reasonable person might believe your private interests could influence your duties
- Potential:** A conflict that could reasonably arise in the future

Roles and responsibilities

- **Individuals** are responsible for identifying and declaring conflicts of interest as soon as they arise.
- **Managers** are responsible for:
 - Assessing the declared conflict
 - Determining and approving appropriate management strategies
 - Ensuring conflicts and decisions are formally recorded

Each type of conflict should be identified, declared and, if appropriate, managed.

Leadership Responsibilities

Managers and Leaders must:

- ▼ Model and encourage early and transparent declaration
- ▼ Foster a 'no surprises' culture, in which decision-making is transparent and defensible
- ▼ Establish that staff understand their obligations and feel safe to disclose
- ▼ Take proportionate and consistent action
- ▼ Avoid minimising perceived conflicts and managing conflicts informally or privately.

To help identify whether there is a conflict of interest, check for any of these common private interests:

- ▼ Family members, friends, or close associates
- ▼ Former employees or colleagues
- ▼ Secondary employment or external roles, including voluntary roles such as committee membership
- ▼ Financial interests (shares, investments, property)
- ▼ Gifts, benefits, or hospitality
- ▼ Personal beliefs or affiliations that could influence decision-making.

Escalate high-risk or sensitive conflicts to the appropriate governance, integrity or ethics function in line with organisational procedures.

1. Identify the Conflict

Initial self-assessment

Ask yourself:

- ▼ Do I have any personal, financial, professional, or relational interest in this matter? If yes, could this interest:
 - ▼ influence – or be seen to influence - my decision or actions?
 - ▼ be seen by others as influencing my decision or actions?
 - ▼ develop into a conflict of interest in the future?

Check your judgement:

- ▼ Would a reasonable, independent person question my impartiality?
- ▼ If this situation were openly scrutinised, would the decision appear fair, impartial, and reasonable?
- ▼ Could this situation be subject to scrutiny by an oversight body?

If you answer “yes”, or are unsure, identify it as a conflict, and declare it in accordance with this checklist.

2. Declare the Conflict

When to declare:

- ▼ As soon as you become aware of the conflict
- ▼ Before participating in any decision-making process
- ▼ Before accessing confidential or non-public information related to the matter
- ▼ When circumstances or interests change.

How to declare:

- ▼ Notify your manager / supervisor
- ▼ Declare the conflict in writing

Your manager is responsible for assessing the conflict, determining an appropriate management strategy, ensuring it is recorded, and escalating the matter if required.

What to declare:

- ▼ The nature of the interest
- ▼ The type of conflict (actual, perceived, potential)
- ▼ Relevant parties or relationships
- ▼ Your role in the matter
- ▼ Any actions already taken to manage the conflict (if relevant)

Information provided in a declaration will be handled in accordance with privacy requirements.

High-risk or sensitive conflicts (including procurement, recruitment, or regulatory matters) should be escalated to the appropriate governance, integrity, or ethics function in accordance with organisational procedures.

3. Managing the Conflict – the 6 Rs

After declaring the conflict, apply one or more of the following “6 Rs” strategies:

To help select the right management strategy, managers should consider:

- ▼ Level of risk
- ▼ Nature of the decision (routine vs. complex)
- ▼ The staff member’s level of authority and influence
- ▼ Public confidence and reputational impact
- ▼ Whether proposed controls are sufficient.

The higher the risk, the stronger the response (towards *remove*, *relinquish*, or *resign*).

Risk level	Likely Response
Low	Restrict
Medium	Restrict, recruit
High	Remove, relinquish
Critical	Resign

4. Ongoing Management and Monitoring

Regularly review the conflict. Both the person making the declaration and the approving manager should consider the following:

- ▼ Have the circumstances changed?
- ▼ Has the nature of the conflict escalated?

If so:

- ▼ Amend or update declarations to reflect the change in circumstances
- ▼ Manager should:
 - ▼ Actively monitor the conflict; and
 - ▼ Intervene if controls are not effective.

Managers are responsible for actively monitoring the effectiveness of management strategies and taking action if controls are not working.

5. Red Flags (immediate action required)

These situations may require escalation beyond routine management:

- ▼ Undeclared relationships or interests
- ▼ Attempts to influence decisions behind the scenes
- ▼ Resistance to stepping aside
- ▼ Repeated or systemic conflicts
- ▼ Conflicts linked to:
 - ▼ Procurement
 - ▼ Recruitment
 - ▼ Regulatory decisions

These situations should be escalated in line with organisational governance or integrity procedures.

6. Final Checks

Conflicts of interest are not, in themselves, misconduct. However, failing to declare or appropriately manage a conflict may be.

Before proceeding in any matter, confirm:

- ▼ I have considered all possible conflicts
- ▼ Any conflict has been declared
- ▼ It has been formally recorded
- ▼ An appropriate management strategy is in place
- ▼ My involvement is appropriate and transparent.



The Commission can help

We are available to provide support and assistance with identifying, reporting, investigating, managing and preventing misconduct: contact@integrity.tas.gov.au or 1300 720 289.

For more Integrity Commission resources go to www.integrity.tas.gov.au/resources