INTEGRITY COMMISSION TASMANIA

Conflicts of Interest - general

The following are common questions about conflicts of interest and the risks they may create.

1. Is it wrong to have a conflict of interest?

No, it is normal to have personal interests, and sometimes these may overlap with your work or the decisions you make as a public sector employee.

A conflict of interest becomes a problem when it is not disclosed, only partly disclosed, or not managed properly. Research shows that people who are confident they can stay objective in these situations may be more likely to be biased. For this reason, it is important to identify, declare, and manage conflicts of interest in a clear and open way. This supports good decision-making and helps maintain public trust.

2. Does it matter how my situation looks like to others if I believe there is no conflict?

Yes. How a situation appears to others can be just as important as whether a conflict actually exists. If others think there is a conflict, it may reduce confidence in you, your organisation, and the public sector more broadly. These views are often formed without knowing all the details.

You should consider how your situation may look to an outside observer and take steps to manage any concerns.

3. If I have good intentions, is it still a conflict of interest?

Yes. Good intentions do not remove the need to manage a conflict of interest. Research shows that when people believe they are doing the right things, they may be less aware of risks and more likely to justify their actions.

For example, you may believe a friend or a relative is the best person for a role. Even if this is true, you must still declare the conflict, It is important to remember that decisions must always be guided by the public interest and the need to maintain trust.

4. If I would not favour someone, how is it conflict of interest?

A conflict of interest is based on your relationship with a person, not whether you like or favour them. Even if you do not like someone that relationship may still affect your judgement. The connection itself creates the conflict and must be managed.

5. If my private interest does not affect the outcome, do I still need to declare it?

Yes. Good decision-making depends on clear and fair processes. Even if you believe the outcome will not change, you must still identify, declare, and manage any conflict of interest. If you are involved in a process, you may influence the outcome, even if you are not the final decision-maker.

6. Do these rules still apply in small communities?

Yes. In smaller or closely connected communities, conflicts of interest may happen more often. This makes it even more important to follow the correct processes. Regardless of location or organisation size, all employees must identify, declare, and manage, conflicts of interest.

7. Do conflicts of interest have to involve money?

No, Conflicts of interest are not limited to financial (pecuniary) matters. Non-financial matters can include personal relationships, outside work, volunteering, or past disputes with others. These are known as non-pecuniary interests and must also be declared and managed.

8. Is it more important to get the job done quickly?

No. While work is often time-sensitive, it must not come at the expense of integrity. Failing to manage a conflict of interest can lead to mistakes and may require work to be repeated, increasing time and cost. The community expects public sector employees to always act fairly and with integrity.

9. Can all conflicts of interest be avoided?

No, not always. However, they can usually be managed. For example, in regional areas or where specialist skills are scarce, conflicts may be difficult to avoid. In these situations, it is important to properly identify, declare, and manage the conflict.

10. If I always act fairly, how can there still be conflict of interest?

Even when you act with integrity, a conflict of interest can still exist. It can be difficult to separate personal interests from work responsibilities. Sometimes this influence may be unconscious. If a conflict is not declared, it may create a perception of bias and lead others to question your decisions.

11. Is telling my manager enough?

No, it is not sufficient to simply inform your manager of a conflict of interest. Both the employee and their manager share responsibility for ensuring that conflicts of interest are properly identified, documented, and actively managed. An effective process includes formally recording the nature of the conflict, developing and documenting an appropriate management plan, and ensuring this information is entered into a central register. This enables ongoing monitoring, oversight, and accountability.

12. Should conflicts of interest be hidden to avoid negative perceptions?

No. It is not having a conflict that creates concern – it is failing to disclose it. Declaring a conflict shows honesty and supports trust in your decisions and those of your organisation.

13. Do I need to declare a conflict if others already know about it?

Yes. You must formally disclose the conflict to your manager, even if it is widely known. You cannot assume that all relevant details are understood or correctly recorded.

14. What happens if I do not declare a conflict of interest?

Conflicts of interest are taken seriously. Failing to manage a conflict properly can lead to financial or reputational damage for your organisation. If a conflict is deliberately concealed, consequences may include disciplinary action, termination of employment, or even criminal prosecution.

The best way to manage conflicts of interest is through open communication with your manager, supported by proper documentation and clear processes.

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.