



# POLICY DOCUMENT

## Conflict of Interest Policy

**Organisation:** Te Akatoki o Te Whare Wānanga of Waitaha (Māori Students' Association) Incorporated (Te Akatoki)

**Issue Date:** 25 August 2024

**Review Date:** August 2026

**Version:** 1

**Approved by:** Te Akatoki Executive

**Approval date:** **TBC**

**Owner:** Tumuaki, Te Akatoki

## Purpose of the policy

The purpose of this policy is to set out the guidelines for identifying, managing, and disclosing conflicts of interest among the Te Akatoki Executive, who are officers of the organisation for the purposes of the Incorporated Societies Act, and the Advisory Board, which forms part of the governance arrangements of Te Akatoki.

## Definitions

**“Advisory Board”** means the Advisory Board of Te Akatoki, a governance function that provides advice to the Executive but which holds no decision-making ability and does not consist of officers for the purpose of the Incorporated Societies Act.

**“Conflict of interest”** means a situation when an Executive member's personal or financial interests could potentially influence or appear to influence their judgement or decision-making on behalf of Te Akatoki. This includes situations where a member may benefit personally or financially from a decision made by Te Akatoki.

**“Te Akatoki Executive”** and **“the Executive”** means the officers of Te Akatoki, equivalent to a Board of Directors.

This policy applies to;

- Te Akatoki Executive
- Te Akatoki Advisory Board

## Scope and context

The policy is designed to ensure that Te Akatoki's decisions are made in the best interests of its members and are free from undue influence.

## Policy principles

- **Compliance with Legal Requirements:** This policy is designed to ensure Te Akatoki's compliance with the Incorporated Societies Act 2022 and any subsequent amendments or replacements. It aligns with the legal obligations for incorporated societies in New Zealand to manage conflicts of interest effectively and maintain transparency in decision-making processes.
- **Transparency and Accountability:** This policy promotes transparency and accountability within Te Akatoki by requiring members to disclose

potential conflicts of interest promptly. The maintenance of a register of interests, accessible to members upon request, further enhances organisational transparency and holds individuals accountable for their declarations.

- **Equity and Fairness:** The policy will be applied consistently and fairly to all Te Akatoki members, including members of the Executive, ensuring no individual receives preferential treatment
- **Approval and Oversight:** The policy establishes a clear process for the Executive Committee to review and manage disclosed conflicts of interest, ensuring proper approval and oversight. By requiring annual reviews of the policy, Te Akatoki demonstrates ongoing commitment to maintaining effective oversight mechanisms.
- **Ethical Conduct:** By clearly defining conflicts of interest and outlining procedures for their management, this policy fosters a culture of ethical conduct within Te Akatoki. It encourages members to prioritise the organisation's interests over personal gain, thereby upholding the highest standards of integrity in decision-making processes.
- **Regular Review:** The policy will be reviewed periodically to ensure it remains relevant and effective, incorporating any changes in legal or regulatory requirements

## Details of the policy

### **1. Identification of Conflicts of Interest**

1. Members shall disclose any potential conflicts of interest to the Executive Committee as soon as they become aware of them. This includes, but is not limited to:
  - a. personal, family, or hapu/iwi financial interests in companies or organisations that do business with or compete with Te Akatoki
  - b. personal, family, or hapu/iwi relationships with individuals or entities that have business dealings with Te Akatoki
  - c. employment or other affiliations with entities that have business dealings with Te Akatoki.

### **2. Officer declarations**

1. Upon taking office, all officers of Te Akatoki shall complete a conflict of interest declaration form.
2. The form shall require officers to disclose any potential conflicts of interest and agree to adhere to Te Akatoki's conflict of interest policy.

### **3. Management of Conflicts of Interest**

1. When a conflict of interest is identified, the following steps shall be taken:
  1. The member shall disclose the nature and extent of the conflict to the Executive.
  2. The member may be required to recuse themselves from any decision-making process related to the matter in which the conflict exists.
  3. If recusal is not appropriate or feasible, the Executive shall take steps to mitigate the impact of the conflict, such as obtaining independent advice or implementing additional oversight measures.

#### **4. Record keeping**

1. A record of all disclosed conflicts of interest and the actions taken to manage them shall be maintained by the Executive.
2. The register shall provide details about the nature and extent of the conflict and any steps taken to manage it.
3. The register shall be maintained by the Executive Committee and made available to members of Te Akatoki upon request.

#### **5. Breaches and complaints**

1. All complaints related to members of the Executive or the Advisory Board should be addressed to the Tumuaki in the first instance.
2. If the complaint is of a serious or complex nature it may be escalated to a sub-committee of the Executive or Advisory Board, which may choose to appoint a third-party investigator, advisor, or consultant.

#### **Related documents**

- Te Akatoki Code of Conduct
- Te Akatoki Executive Charter
- Te Akatoki Governance Charter
- Te Akatoki Executive Charter
- Te Akatoki Advisory Board Charter
- Te Akatoki Accountability and Reporting Policy
- Te Akatoki Theft and Fraud Policy

#### **Review of policy**

This policy is due for review in August 2025

