

DECLARATION OF INTEREST GUIDELINES



Guiding Principles

This document should be read in conjunction with the Declaration of Interest Policy.

What might cause a conflict?

(The following list is illustrative only and is not exhaustive, it may be added to at any time)

1. Direct Reporting Relationships
2. Contracting, Consulting, Secondary Employment
3. Recruitment
4. Procurement, Regulatory, Funding and Sponsorship Decisions
5. Voluntary Interests (including unions)

1. Direct Reporting Relationships

Direct reporting relationships between people who have a domestic relationship (marriage, Civil Union or de facto relationship) outside of work are not permitted. AT reserves the right to review other relationships if these could have an actual, potential, or perceived conflict and impact upon the ability of the organisation to run its business with integrity or bring the organisation into disrepute.

2. Contracting, Consulting, Secondary Employment

Without prior written approval from the applicable Division or Group Manager:

- (a) employees or secondees must not act in a contracting or consulting capacity for AT;
- (b) representatives must not act in a contracting or consulting capacity or be in any way involved with, or interested in, other business interests where this could question whether an actual, potential or perceived conflict of interest may bring them into conflict with their role at AT or where the other business interests are closely identified or aligned with AT. Approval will not be given where that other interest could either bring AT into disrepute, or prejudice the ability of the representative to carry out their responsibilities to AT. Where warranted, the relationship of the representative must also be disclosed in reports to committees of AT;
- (c) employees should not engage in secondary employment or be involved with or have an interest/s in other businesses either inside or outside AT. Approval will not be given where that other interest or employment could either bring AT into disrepute or could prejudice the ability of the employee to carry out their responsibilities to AT.

3. Recruitment

Employees and representatives should not be involved in decisions to short-list or employ persons with whom they have a private relationship, irrespective of whether it is an employee or contractor, on a permanent, fixed term or casual basis. 'If in doubt, disclose'.

4. Procurement, Regulatory, Funding and Sponsorship Decisions

Employees and representatives should not, without prior written approval by the applicable Manager:

- evaluate or make a decision to procure goods or services from someone (or an organisation) with whom they have a **private relationship** (as defined in Policy);

- in a regulatory capacity process, review or signoff an activity for someone (or an organisation) with whom they have a private relationship;
- in a funding or sponsorship decision-making capacity process, review or signoff an activity for someone (or an organisation) with whom they have a private relationship.

Promoting a third-party relationship where you have a [close or significant](#) relationship with the third party is not permitted and would be a breach of the policy.

5. Voluntary Interests (including unions)

Employees and representatives of AT **must discuss** with the applicable Division or Group Manager if they want to:

- take on a role as spokesperson for any voluntary activity that may impact on public perception of their impartiality, or could result in them publicly representing a position in conflict with AT's position;
- take on a voluntary role that involves the employee being on call or needing time off from work to undertake the voluntary activity/activities or any training associated (eg. volunteer fire officer, paramedic, Women's Refuge, Age Concern etc.).

NB: Active participation and/or membership of unions and professional associations (and groups of this type), are not the sorts of actions that, *in themselves*, could cause a conflict of interest.

Procedures for Dealing with a Conflict of Interest

All those covered by this policy have a **mandatory** obligation to disclose any actual, potential or perceived conflict of interest in a timely and effective manner using the Declaration of Interest online form.

Representatives and employees **must** submit a Declaration of Interest within one month of commencing with AT. Thereafter, the employee or representative, working with AT, has an obligation to manage the conflict in accordance with the procedures, guidelines and rules set by AT (which may be determined to cover the nature of each conflict).

AT has the following requirements in place:

In all cases where an actual, potential or perceived conflict of interest arises, all employees or representatives must notify and obtain the authority of the relevant Group Manager or Division Manager before proceeding (or before continuing if a new employee) with the proposed activity.

If employees or representatives believe there is, or could be, either an actual, potential or perceived conflict of interest they **must** -

- discuss the matter with their Division or Group Manager;
- work with the Division or Group Manager to establish how the conflict will be declared and managed;
- complete the interest disclosure online form

(This form is reviewed and then held by Human Resources on record)

If employees or representatives believe another member of staff has an actual, potential or perceived conflict of interest, they should discuss their concerns with their Division or Group Manager or Head of HR Consulting or email askHR@at.govt.nz

- If employees or representatives believe a Board Member has an actual, potential or perceived conflict of interest they must -
- discuss their concerns with their Division Manager, the Head of HR Consulting or the Board Secretary, and
- if appropriate, the relevant Division Manager must then notify the Chief Executive Officer for consideration.
- Everyone who is engaged by AT regardless of their employment status (eg part-time) must complete an annual interest declaration online form.
- The Manager Risk and Audit will undertake six monthly audits of registers and report findings to the Head of HR Consulting, ELT and CEO.
- Any breach of the above requirements, or of any part of this policy, will be dealt with as follows -
- in the case of employees, a breach may constitute serious misconduct and will be dealt with in accordance with AT's Code of Conduct and/or Disciplinary Policy; and
- in the case of representatives, as a serious matter which may result in termination of their agreement with AT.

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Interest Disclosure Process (see examples and [Declaration of Interest Flowchart](#))

If you believe that you may have a conflict of interest or wish to make a general disclosure, please discuss the matter with your Department Manager and complete the online Employee Declaration of Interest form.

Your declaration will be added to Auckland Transport’s central interest register, which is a confidential register maintained by Human Resources.

Your disclosure **must** cover but not be limited to the following:

- 1. Are you or an immediate family member an officer, director, employee, partner, or controlling stockholder of any *organisation with which Auckland Transport has business dealings?**

If yes, please:

- What is the name of the organisation or entity?
- What is the nature of the relationship?
- What activities associated with this do you perform during work time?

Name of organisation/entity	Nature of Relationship(s)	Associated activity during work time
Eg. The Bicycle Association	Eg. Volunteer	Eg. Phone calls, occasional fundraising activities (one lunch hour per month)

- 2. Do you or an immediate family member or a person with whom you have a close/significant relationship with have a financial interest in, or receive any material benefit from, any organisation* with which Auckland Transport has business dealings?**

If yes, please:

- list in your declaration the organisation(s); and
- describe the nature of the relationship you have; and
- the approximate value of the financial interest or benefit
- indicate whether you, a family member, or person with whom you have a close/significant relationship with owns a share, control, or interest greater than 10%.

Name of organisation/ entity	Nature of Relationship(s)	Associated activity during work time	Interest > 10 %
Eg. Beca	Eg. Shareholder	Eg. Nil	Eg. 12%

- 3. Are you aware of any other relationships, arrangements, transactions, or matters which could create a conflict of interest or the appearance of conflict (actual, potential or perceived)?**

If yes, please document in your declaration.

Name of organisation/entity	Nature of Relationship(s)	Associated activity during work time
Auckland Transport	Brother works in procurement	Eg. Nil