

NZCF Conflict and Disclosure of Interest Policy

Introduction

A conflict and disclose of interest policy is a requirement of good governance and is required under the Incorporated Societies Act 2022.

This policy takes into account that New Zealand is a small country. This means that there is often a shortage of people available to take up governance or committee roles and the likelihood that they share familial and/or choral whakapapa.

The policy recognises that many Governance Board, NZCF Committee and Regional Committee members are also conductors, singers, choir administrators, choir leaders, or music teachers who may be influential in more than one area of the choral world.

Being upfront about a possible or actual conflict of interest gives everyone involved the chance to deal with information and perceptions in a fair, open and respectful way, and protects the integrity and mana of the people involved. Open communication and early sharing of information and ideas may also identify ways in which collaboration or co-operation could be beneficial.

What is the purpose of this policy?

This policy provides guidance to NZCF Governance Board members, National or Regional Committee members, staff, and contractors on how to identify, disclose and manage potential or actual conflicts of interest.

It aims to:

- Support people to identify potential, actual and perceived conflicts of interest on their own
- Give clear guidance for identifying, recording and managing conflicts of interest
- Make sure the approach taken to manage conflicts of interest is fair, transparent and consistent, including enabling culturally appropriate responses and processes
- Ensure that NZCF complies with the Conflict of Interest Disclosure Rules set out in section 62 to 73 of the Incorporated Societies Act 2022

What might constitute a conflict of interest?

A conflict of interest may be an actual conflict, a potential conflict, or a perceived conflict. In all cases the conflict should be stated up front (disclosed) and if necessary managed. Raising a conflict of interest simply flags a situation that may need steps to manage any risks. It is not automatic evidence of any wrongdoing. Disclosing a conflict of interest is not an admission of guilt.

A conflict of interest may exist if a person has

- an interest in the outcome of a decision and has some influence or ability to affect the decision, or
- an interest or involvement in an activity which conflicts with or competes with an area in which New Zealand Choral Federation is involved or
- the potential to obtain a financial benefit from an activity that might conflict with the interests of NZCF

A conflict can arise out of relationships. For example, someone on the Governance Board, a committee or staff member has shares in, or is related to, someone in a business that wants to do some paid work for, or sponsor, NZCF.

Relationships such as whakapapa relationships do not automatically mean there is a conflict of interest and should not stop a person from taking on a role or making decisions in their role.

Identifying a possible conflict of interest

There are three situations where a review of a possible conflict of interest could be appropriate:

- When an appointment is being made to a role within NZCF.
The person being considered should ask themselves if they have any personal interests relevant to the role which might be in conflict with areas in which NZCF is involved. During the appointment process they should be asked if they are aware of any actual or potential conflicts of interest.
- When person with a role within NZCF plans or starts an involvement in an activity which may compete with the objects and aims of NZCF policy.
- When a topic arises for decision making within a committee or the Governance Board where a member of either may have a conflict of interest.

Governance Board members will be asked ahead of any board meetings to declare any actual or potential conflicts of interest in relation to topics to be discussed. These will be noted at the commencement of a board meeting and if necessary the member may recuse themselves or be asked to recuse themselves from the discussion on the topic.

If in doubt about whether something might be a conflict of interest, it is best to disclose it, just in case.

Who might raise the possibility of a conflict of interest?

The possibility of conflict of interest could be raised by either:

- An individual who wishes to check whether they might have a conflict of interest, or
- A member of the Governance Board, a committee member, a staff member or contractor, a volunteer or any fee-paying member of NZCF who believes a conflict of interest has arisen or may arise.

How should any interests or possible conflicts of interest be raised?

Board members who have interests in matters relating to NZCF must disclose details of the nature and extent of those interests to the Board.

The Board will keep and maintain a register of disclosures of interests in matters relating to NZCF.

When any member of NZCF believes a conflict of interest has arisen, or may arise, they should raise it with either the Chief Executive or the Chair of the Board setting out:

- where they believe there is a possible conflict of interest and
- how this might impact on either perceived impartiality in decision making, or on the activities of NZCF.

The information provided will be discussed with both those who have raised the issue and those who might be affected by any decision regarding a possible conflict.

The Chair and Chief Executive may make a decision, or they may refer the matter to the full Board with a recommendation in relation to the potential conflict of interest.

The requirements of the Incorporated Societies Act (2022) in relation to conflicts and disclosure of interest and the resolution of disputes shall take precedence over this policy if it is determined that this policy or its implementation do not meet the requirements of the Act.