



CONFLICT OF INTEREST

Identifying conflict of interest risks in client and contractor relationships

This checklist will assist your organisation to identify conflict of interest risks arising from client and contractor relationships.

Should specific policies exist for some of the issues raised below (for example, management of confidential information), they may need to be amended to ensure they are consistent with the organisation's conflict of interest policy.

If any of the areas listed below raise specific risks for your organisation, check that your policy provides appropriate management strategies.

Risk identified

Clients

Conflict of interest risks can emerge from the relationships between employees and clients. The risk is heightened where employees are involved in:

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|---|--------------------------|
| ▼ collecting, assessing, using, distributing or holding confidential information | <input type="checkbox"/> |
| ▼ working alone with clients | <input type="checkbox"/> |
| ▼ updating and changing personal information | <input type="checkbox"/> |
| ▼ exercising discretionary authority | <input type="checkbox"/> |
| ▼ providing professional advice | <input type="checkbox"/> |
| ▼ licensing, assessing or regulating client activities | <input type="checkbox"/> |
| ▼ providing qualifications or certification | <input type="checkbox"/> |
| ▼ testing | <input type="checkbox"/> |
| ▼ allocating funding, public resources or access to public equipment (particularly where demand exceeds supply) | <input type="checkbox"/> |

Contractors

Conflict of interest risks can emerge from the relationships employees have with contractors. This is especially the case where employees are involved in contracting and procurement.

In this respect, conflict of interest risks can result from:

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|--|--------------------------|
| ▼ receipt of gifts and other forms of benefit | <input type="checkbox"/> |
| ▼ access to confidential information | <input type="checkbox"/> |
| ▼ consensual personal relationships that may exist between contractors and an employee of the organisation | <input type="checkbox"/> |
| ▼ allocation of contracts under the tender threshold | <input type="checkbox"/> |
| ▼ any pre-tender, market-sounding activities | <input type="checkbox"/> |
| ▼ tender evaluation and the bidding process | <input type="checkbox"/> |
| ▼ secondary and post-separation employment | <input type="checkbox"/> |
| ▼ contract administration. | <input type="checkbox"/> |

Strategies

If your organisation is involved in any of the above activities, consider whether these risks are being managed by any of the following strategies:

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|---|--------------------------|
| ▼ providing information about public sector values and business ethics to your community, clients and contractors | <input type="checkbox"/> |
| ▼ distributing a statement of business ethics to external business parties | <input type="checkbox"/> |
| ▼ conducting regular audits of client relationships and/or contract administration | <input type="checkbox"/> |
| ▼ maintaining robust case and file management systems | <input type="checkbox"/> |

Adapted from CMC and ICAC resource: Managing Conflicts of Interest in the Public Sector – toolkit



The Commission can help

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

For more Misconduct Prevention resources go to www.integrity.tas.gov.au/resources.