



## CONFLICT OF INTEREST

### Monitoring and managing risks for managers

This checklist helps managers monitor and regularly review and assess the management of conflict of interest and the situations to which the management strategies have been applied

<b>Ability to monitor and review</b>	<b>Yes</b>	<b>No</b>
Has your employee been able to adequately identify and monitor for themselves the situation in which they had a conflict of interest, and the actions they have taken to implement the strategy?	<input type="checkbox"/>	<input type="checkbox"/>
Have you been able to adequately monitor your employee's involvement in the matter in which they have disclosed conflict of interest?	<input type="checkbox"/>	<input type="checkbox"/>
Has such monitoring included a review of their actions and decisions in the matter and the outcomes of such actions and decisions?	<input type="checkbox"/>	<input type="checkbox"/>
Have you needed to call on the assistance of an objective third party to help continue to monitor and/or reassess the situation?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Choosing the management strategy</b>	<b>Yes</b>	<b>No</b>
Have the original determination and management decisions allowed the employee to act, and be seen to act, in a fair, impartial and objective manner?	<input type="checkbox"/>	<input type="checkbox"/>
Are there any residual tensions between your employee's original determination and any decisions taken by you as their manager?	<input type="checkbox"/>	<input type="checkbox"/>
If there are any tensions, have you taken steps to discuss and/or resolve these with your employee?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Implementing the management strategy</b>	<b>Yes</b>	<b>No</b>
Has the employee properly implemented the strategy selected to manage their conflict of interest?	<input type="checkbox"/>	<input type="checkbox"/>
Have they carried out and recorded all actions and decisions involved within this management strategy faithfully and transparently?	<input type="checkbox"/>	<input type="checkbox"/>

Have you ensured that any actions or decisions that they have taken have not breached the boundaries set by the management strategy?

Have they experienced any problems in implementing this management strategy which may have an impact on the situation?

**Changes to the situation** **Yes** **No**

Are there any changes that have happened within the situation, since the management strategy was implemented?

Has your employee notified you of any and all changes that have happened within the situation?

Is the management strategy still relevant to the situation?

Are there significant changes that have happened within the situation since the chosen management strategy was implemented?

Are you aware or have you been notified of these significant changes that have happened within the situation?

Have you received any reports of perceptions held by others that the conflict of interest is having an improper influence on your employee's actions and/or decisions?

Is the management strategy still adequate or appropriate for the changed situation?

**Making adjustments** **Yes** **No**

Does the employee need to make formal adjustments to the conflict of interest disclosure that has already been registered in relation to this situation?

Does the employee need to disclose and register a further conflict of interest that has impacted on this situation?

Should the management strategy be adjusted in any way to suit the changed situation?

Can you and your employee together determine what needs to be changed in the management strategy to ensure impartiality, fairness and protection of the public interest?

Do you need to seek further advice from an independent third party to help determine the most appropriate changes to the management strategy?

If there is no need to change the management strategy, are changes to the manner in which it is implemented still required?

Do the planned changes to the management strategy and/or its implementation still ensure openness and transparency?

**Maintaining transparency** **Yes** **No**

Have I identified and documented the facts and circumstances governing the review and assessment of, and decision on, how the situation should continue to be handled?

Have all declarations, reassessments, further decisions made and actions taken been formally recorded?

Has everyone who will be affected by changes to this management strategy and/or its implementation been notified?

Does the management strategy and its implementation based on this review and assessment allow my employee to continue to act and be seen to act in a fair, impartial and objective manner?

*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](mailto:prevention@integrity.tas.gov.au) or 1300 720 289.

For more Misconduct Prevention resources go to [www.integrity.tas.gov.au/resources](http://www.integrity.tas.gov.au/resources)