

## Governance Policy

Poipoi – Kauawhi – Tāuteute – Pūnaha Auaha – Ārahi  
Nurture - Include - Engage - Innovate - Lead

What guides us:

Living Te Tiriti o Waitangi  
Ensuring ākongā are at the centre of everything we do  
Delivering high-quality, future-focused teaching and learning

## CONFLICT OF INTEREST

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Sponsor	: Deputy Chief Executive Systems and Support
Owner	: Manager Human Resources
Who are these procedures for	: All kaimahi

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### Outcome statement

1. This policy reinforces the commitment of the Te Aho o Te Kura Pounamu (Te Kura) Board of Trustees (Board) that Kaimahi carry out their duties free from bias. It sets out the roles and responsibilities for identifying, disclosing, and managing Conflicts of Interest at Te Kura.

### Scope

2. This policy applies to all Conflicts of Interest at Te Kura, whether actual, potential, or perceived.
3. This policy applies to all Te Kura Kaimahi as defined.
4. Everyone covered by this policy, regardless of their role, must consistently adhere to all Te Kura policies and comply with New Zealand laws.

### Accountabilities and responsibilities

5. The Board holds ultimate responsibility and accountability to ensure Kaimahi carry out their duties free from bias<sup>1</sup>. This is achieved through the establishment and maintenance of effective internal control systems, supported by comprehensive written policies and procedures.
6. The Chief Executive manages the daily operations of Te Kura<sup>2</sup>, which includes implementing procedures to minimise the risk of Conflicts of Interest.
7. The Chief Executive is required to maintain a full and complete record of all Conflicts of Interest, and report these to the Board on a regular basis.

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<sup>1</sup> Section 125 Education and Training Act 2020

<sup>2</sup> Section 130 Education and Training Act 2020

## Definitions

8. In this Policy, unless the context requires otherwise:

Term	Definition
<b>Conflict of Interest</b>	Conflicts of Interest exist where an individual may be, or may be perceived to be, compromised because their personal, financial, or other interests and commitments conflict with their responsibilities at Te Kura.  A Conflict of Interest can be: <ul style="list-style-type: none"><li>• Actual: where conflict already exists.</li><li>• Potential: where conflict is about to happen or could happen.</li><li>• Perceived: where others might reasonably think conflict exists.</li></ul>
<b>Kaimahi</b>	Staff member, including permanent, fixed-term, temporary, and seconded employees, as well as volunteers and contractors engaged by Te Kura, regardless of whether they work full-time, part-time, or casually.

Frequently used terms, including Te Reo Māori, can be found [here](#).

## Policy statements

9. Maintaining a policy and cultural framework that allows for the effective and transparent handling of actual, potential, or perceived Conflicts of Interest is of prime importance for Te Kura.
10. This is not only a matter of legal compliance and institutional reputation for Te Kura but also a matter of demonstrating the Te Kura value of 'tika', to uphold what is right and lawful in practice.
11. This means that Te Kura is committed to ensuring that:
  - a. Its policies and practices are legally compliant, maintained to applicable best practice standards and consistent with the values of Te Kura, and the principles reflected in the [Te Tiriti o Waitangi](#) and [People and Wellbeing](#) Governance Policies.
  - b. There are mechanisms in place for reporting, recording, monitoring, and managing Conflicts of Interest.
  - c. Kaimahi are provided with access to all relevant information, including procedures on how to disclose Conflicts of Interest.
  - d. We foster a workplace culture where matters concerning Conflicts of Interest are given careful consideration in all activities.
  - e. Decisions made at all levels are justifiable on objective grounds.

## Expectations and limitations

12. Kaimahi must comply with the following directions.

### Personal responsibility

13. Kaimahi have a personal responsibility to disclose any actual, potential, or perceived Conflict of Interest in accordance with the [\[Conflict of Interest Hātepe Kaimahi\]](#).

### Ethical procurement

14. Te Kura is committed to ethical and transparent procurement practices. The selection of suppliers and contractors must be based on quality, price, and value for money, not on the exchange of improper benefits.

## Undeclared conflicts

15. Anyone who suspects that a Conflict of Interest has not been disclosed or appropriately managed must report this immediately in accordance with the [[Conflict of Interest Hātepe Kaimahi](#)].
16. To the extent that it is applicable, anyone reporting a Conflict of Interest may also choose to make a protected disclosure under the Protected Disclosures (Protection of Whistleblowers) Act 2022. Please refer to the [Protected Disclosure Hātepe Kaimahi](#) on how to make protected disclosures.

## Compliance

17. Breaches of this policy may be treated as a performance issue, misconduct, or serious misconduct and will be managed in accordance with the Te Kura [Kaimahi Code of Conduct](#) and the relevant employment agreement.

## Monitoring and reporting

18. The Chief Executive will oversee the implementation of this policy and will report annually to the Board on its compliance.

## Further support and guidance

19. Additional information that supports this policy can be found in:
  - a. [Kaimahi Code of Conduct](#)
  - b. [[Conflict of Interest Hātepe Kaimahi](#)]
  - c. [Fraud Prevention and Detection Governance Policy](#)
  - d. [People and Wellbeing Governance Policy](#)
  - e. [Policy Framework Governance Policy](#)
  - f. [Protected Disclosure Hātepe Kaimahi](#)
  - g. [Te Tiriti o Waitangi Governance Policy](#)
  - h. [Managing conflicts of interest: A guide for the public sector](#) (Controller and Auditor General)
  - i. [NZ Government Quick-Guide: Conflicts of Interest](#) (Ministry of Business, Innovation, & Employment)
  - j. [Crown Entities Act 2004](#)
  - k. [Education and Training Act 2020](#)
  - l. [Education \(School Boards\) Regulations 2020](#)
  - m. [Protected Disclosures \(Protection of Whistleblowers\) Act 2022](#)
  - n. [Public Records Act 2005](#).

**Approved by Nicola Ngarewa, Chairperson, Te Aho o Te Kura Pounamu Board of Trustees**