

Conflicts of Interest

The Joint Committee Members, Council Officers and ASU Officers are responsible for identifying, managing and monitoring conflicts of interest. This section sets out the process with regards to identifying, monitoring and managing conflicts of interest in relation to their duties they carry out for the ACCESS Pool. Each Council will have their own processes for identifying, managing and monitoring conflicts of interest and these should be considered alongside the below process where relevant.

Those Members and Officers making decisions and recommendations on behalf of all Councils have a duty to act in the best interest of all stakeholders, but this does not preclude Members, Officers and Advisors from having other roles or responsibilities which may result in a conflict of interest.

It is important that good governance principles are followed and that a conflicts of interest process such as this is put in place to outline how conflicts are identified, managed and monitored.

It is understood that it may not be possible to identify, manage and monitor all potential and perceived conflicts of interest, however Members and Officers will endeavour to do so where possible.

It is recognised that a failure to manage conflicts of interest can pose material risks to the Councils, the consequences of which may include decisions that are not in the best interests of the Councils stakeholders, the Councils reputation being negatively impacted and/or referral to regulatory bodies.

The ASU and the secretary to the Joint Committee will be responsible for monitoring conflicts of interest and ensuring that all Members, Officers and Advisors are aware of and follow this process. The ASU will collate declarations of conflicts and maintain a conflict of interests register.

The Public Service Pensions Act 2013 defines a conflict of interest as a financial or other interest which is likely to prejudice a person's exercise of functions.

It is recognised that that a conflict of interest may be present when Members, Officers and Advisors have a responsibility or fiduciary duty in the operation, decision making process or management of the Pool but also has:

- A separate personal or corporate interest, which can be financial or non-financial in nature.
- Another connection to the matter that may provide a possible conflict with their primary responsibility to the Pool. This interest could arise through association and may stem from a family member or colleague having an obligation or interest.

It is expected that each individual must:

- acknowledge any potential conflict of interest they may have;
- adopt practical solutions to managing those conflicts; and
- plan ahead and agree how they will manage any conflicts of interest which arise in future with the relevant parties.

Members are asked to declare any conflicts of interest at the beginning of every Joint Committee meeting. These declarations are recorded by the Secretary to the Joint Committee.

Officers are asked to complete a declaration of interest form and confirm on an annual basis whether this has changed. This does not preclude updates being provided as and when they occur. The declaration of interest form can be found in Appendix C. The record of declarations will be maintained by the ASU.

Providers to the ACCESS Pool are required to disclose to the ASU any conflict of interest that may arise, including any related third-party engagements.

Upon identifying any conflicts of interest, the ASU will carry out an evaluation process, which will be reviewed by the OWG. The evaluation process will assess the potential severity of the impacts that could result if the chosen conflict is not suitably managed. Following the evaluation process OWG will classify the conflict based on its nature and its potential impact severity, a conflict be classified as either low, medium or high risk.

Working Document