

Meeting Aid – Conflicts of Interest

Step One: Member identifies and discloses a personal interest that might give rise to a conflict of interest

Questions for the member to consider:

- Is there a matter before the board or body of which you are a member?
- Do you have a personal interest that may be associated with that matter – such as a financial, personal association or other identifiable interest, for example, membership of a group?
- Is the interest more than minor?

If so, declare a personal interest to the Chair and/or the rest of the board or body in line with any relevant legislation.

Step Two: Non-conflicted members decide whether the personal interest gives rise to a conflict of interest

Questions for the board or body to consider:

- If the personal interest is financial or material – what is the nature and/or value of the interest?
- If the personal interest is a personal association – what is the nature, duration, proximity and intensity of the relationship or association?
- How significant is the personal interest?
- Is there a realistic possibility that the outcome of the decision could affect the value of the member's financial or material interest, in a way that is not minor?
- Is there a realistic possibility that the outcome of the decision could either benefit or cause a detriment to the member, or a related party, in a way that is not minor?
- Could the member influence the decision in a way that could benefit them or someone they have an association with?
- Would any benefit that the member receives, or a related party receives, from the decision be greater than that which would be received by a wide group or class of people in the community?
- How does this compare to similar matters where the board or body has decided a conflict of interest exists – is the board or body deciding like matters consistently?
- Does the board or body require more information from the member, or are there any other relevant factors?

Test to be applied: Taking the answers to these questions into account, the board or body should consider:

If there was a reasonable and fair-minded observer in the room – would they think that the personal interest might conflict with the proper performance of the member's duties about the consideration of the issue?

Step Three: Non-conflicted members decide how to appropriately manage the conflict of interest

Questions for the board or body to consider:

- What process is recorded in the relevant legislation to manage conflicts of interest or material personal interests?
- Does the member have unique or particular skills, knowledge or expertise that would help the board or body make the best decision in the public interest if they were to remain in the room?
- How would inclusion of the member in the deliberation or the decision affect public trust (i.e. would it be in the public interest)?
- How does this compare to similar matters the board or body has decided – is the board or body deciding like matters consistently?
- Are there any other local factors that may be relevant to the inclusion or exclusion of the member?

Remember: In the interests of transparency, the board or body should document the reasons for its decisions about conflicts of interest in line with the relevant legislation. This will also assist in ensuring consistency in future decisions.

Ask us: If you are unsure, you can seek advice from the QIC by emailing: integrity.commissioner@integrity.qld.gov.au