

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, association or other identifiable interest, for example, membership of a group?
- Is the interest more than minor?
- Is the conflict ongoing or likely to arise again in future?

If so, declare a personal interest to the Chair and/or the rest of the board or body, or 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:

- Financial and material interests-
 - What is the nature and/or value of the interest?
 - Is there a realistic possibility that the outcome of the decision could affect the value of your interest in a way that is not minor?
- Personal associations-
 - What is the nature, duration, proximity and intensity of the relationship or association?
 - Is there a realistic possibility that the outcome of the decision could either benefit or cause a detriment to you or a related party in a way that is not minor?
- Shared interests and existing standards-
 - Would any benefit or loss that you or your 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 you or other members have decided a 'conflict of interest' exists – and are like matters being dealt with consistently?
- Are there any other relevant factors?
- Does the board or body require more information from the member, or are there any other relevant factors?

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? If yes, a conflict of interest exists.

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 including the member in the deliberations or decision affect public trust (would it be in the public interest)?
- How does this compare to similar decisions of the board or body – are like matters being decided consistently?
- Are there any other local factors that may be relevant to the inclusion or exclusion of the member?
- Has the board or body come to a prior understanding with the member regarding the management of the conflict?

Remember: In the interests of transparency, the board or body should document the reasons for its decisions about conflicts of interest in line with 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

Note: This resource is intended only as general guidance and is not intended as, and should not be taken as, advice any person's particular circumstances. A member of a decision-making body will need to consider seeking their own advice about any specific circumstances or concerns that may arise.