

NSW ARB Policy HANDLING CONFLICTS OF INTEREST

March 2015

Relevant Values and Elements of Code of Conduct

NSW ARB Values

- The NSWARB is apolitical, performing its functions in an impartial and professional manner.
- The NSW ARB has the highest ethical standards.
- The NSW ARB delivers services fairly, effectively, impartially and courteously to the Australian public and is sensitive to the diversity of the Australian public.

NSW ARB Code of Conduct

- An NSWARB office holder and employee must behave honestly and with integrity in the course of employment.
- An NSW ARB office holder and employee must disclose, and take reasonable steps to avoid, any conflict of interest (real or apparent) in connection with his/her employment.
- An NSW ARB office holder and employee must not make improper use of (a) inside information or (b) the employee's duties, status, power or authority, in order to gain, or seek to gain, a benefit or advantage for the employee or for any other person.

Principles

- An ARB employee should perform the duties of his office impartially, uninfluenced by fear or favour.
- An ARB employee should be frank and honest in official dealings with colleagues.
- An ARB employee should avoid situations in which his private interest, whether pecuniary or otherwise, conflicts or might reasonably be thought to conflict with his public duty.
- When an employee possesses, directly or indirectly, an interest which conflicts or might reasonably be thought to conflict with public duty, or improperly to influence conduct in the discharge of responsibilities in respect of some matter concerned, the employee should disclose that interest according to the prescribed procedures.
- When an employee possesses an interest which conflicts or might reasonably be thought to conflict with the duties of office and such interest is not prescribed as a qualification for that office, the employee should forthwith divest himself of that interest, secure his removal from the duties in question, or obtain the authorisation of his superior or colleagues to continue to discharge the duties.
- An ARB employee holder should not use information obtained in the course of official duties to gain directly or indirectly a pecuniary advantage for himself or for any other person.

NSW

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- An ARB employee should be scrupulous in the use of public property and services, and should not permit their misuse by other persons.
- An ARB employee should not allow the pursuit of their private interest to interfere with the proper discharge of their public duties.

Avoiding and Managing Conflict of Interest

Public confidence in the integrity of the NSW ARB is vital to the proper operation of the organisation. Confidence may be jeopardised if the community perceives a conflict of interest.

NSW ARB employees and Members of the Board are aware that their private interests, both financial and personal, could conflict with their official duties. The procedures for managing apparent and real conflicts of interest may cover:

- Employees / Members' responsibility to notify the Board about real or apparent conflicts of interests
- The Board's responsibilities to decide whether:
 - there is, or there could be, a conflict of interest
 - to ask the person to divest the interest
 - to change the person's duties or to transfer the person to another position where there is no conflict
 - to allow the person to continue their duties

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Declaring a Conflict of Interest

The purpose of the declaration is to ensure that the Board is aware of any private interests or relationships of NSW ARB employees in leadership or other sensitive positions which could or could be seen to influence the decisions the employees are taking or the advice they are giving.

These could include personal interests and relationships that could involve real or potential conflicts of interest in terms of the employee's responsibilities.

The completion of a declaration of interest also provides employees with the opportunity to consider whether any of their financial or personal interests might give rise to a real or perceived conflict with their duties and take action to remove or minimise the potential for that to occur.

Private interests and commitments

NSW ARB employees do not participate in any business or employment outside the Board that could adversely affect work for the Board or affect ability to make decisions in the Board's best interests.



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Boards and Committees

The NSW ARB Board and its committees main purposes:

- to guide and direct office holders and employees in the administration of the Architects Act and Regulations
- to determine, monitor and regulate practices, grant licences and investigate complaints
- to coordinate policies, plans or projects
- to advise and make recommendations to The Minister about its programs and policies.

Declaring interests

Board members make statements about any conflicts of interest at the commencement of each Board meeting or to the President if circumstances arise out of session.



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