

Checklist for Managing Conflicts of Interest

This Checklist provides a guide to Industry Reference Committee (IRC) members in identifying and managing actual, perceived or potential conflicts of interest.

<input checked="" type="checkbox"/>	<p>Check the IRC Operating Framework and your IRCs' Conflict of Interest Policy for rules and guidance about handling or avoiding conflicts of interest.</p>
<input checked="" type="checkbox"/>	<p>At every IRC meeting, the Chair should ask if there are any conflicts to declare or if there are any changes to previously declared conflicts. Skills Service Organisations (SSOs) should take careful minutes to record any conflicts that are disclosed, any members that are unable to participate and vote due to material conflicts of interest, and their views on the matter at hand prior to leaving the discussion. SSOs are also responsible for correctly recording all conflicts in a Conflicts of Interest Register.</p>
<input checked="" type="checkbox"/>	<p>When thinking about whether you have a conflict of interest, consider:</p> <ul style="list-style-type: none"> • your personal and organisational interests and your duties as an IRC member • whether you have an actual (you are being influenced by a conflicting interest), potential (you could be influenced by a conflicting interest), or perceived (you could appear to be influenced by a conflicting interests) conflict of interest. • “Would an independent observer think I was acting in the best interests of my industry sector and the broader public, or my own interest?” If there is any doubt, it is best to declare a perceived or potential conflict of interest.
<input checked="" type="checkbox"/>	<p>Where conflicts of interest arise, consideration should be given to whether it is a material conflict. Non-conflicted IRC members will need to determine (through a majority vote) whether a conflict of interest is material, and the reasons for the decision recorded in the minutes.</p> <p>A conflict of interest is deemed material if it:</p> <ol style="list-style-type: none"> a) is considered of significant, substantial or real value to the deliberations or arrangements proposed by the IRC; and b) has a considerable possibility of influencing the decision of the IRC member.
<input checked="" type="checkbox"/>	<p>Where a member is deemed to have a material conflict of interest, they must not be present for discussions or voting. However, they will be able to provide their views (verbally or in writing), which must be recorded in the minutes by SSOs, prior to removing themselves from the meeting.</p>
<input checked="" type="checkbox"/>	<p>When determining appropriate actions for members with a conflict of interest that is not material, the IRC should consider:</p> <ul style="list-style-type: none"> • whether the conflict needs to be avoided or simply documented • the IRC's purpose and duty • the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of, the IRC. <p>IRC decisions on any agreed actions should be recorded in the minutes, the register of interests and implemented.</p>