

# *Council*

## *Council Members' Interests Policy*

Date of adoption: December 1997

Date this issue: July 2021

### **Background**

Schedule 11, Clause 8 of the Education and Training Act 2020 requires Council members to declare any interest they have in a matter being considered by Council (or a Committee) and to take no part in deliberation of voting on that matter. A Council member is interested in a matter if it relates to their conditions as an employee (including the Chief Executive Officer) or if they have any pecuniary interest in the matter.

In 1997 Audit New Zealand recommended that appropriate procedures should be implemented to protect Council members from the risk of allegations of either the existence or appearance of conflicts of interest. They advised that the maintenance of a register of declarations of interests constituted best practice.

Under Standard 20 of the Public Benefit Entity International Public Sector Accounting Standards, Council are required to include in their declaration those entities of which they are aware that their close family members have control or significant influence over. Close family members include parents, siblings, spouse, and children.

### **Responding to these recommendations, and desiring to maintain the highest standards of transparency and accountability in its conduct, Council has adopted this policy on members' interests Policy**

Council considers its members to be interested in a matter before the Council or any of its committees and working groups if:

- a member or their close family member is a party to the matter being considered
- a member or their close family member will or may derive a material benefit from the matter being considered
- a member or their close family member has a material interest in a party to the matter being considered
- a member or their close family member is connected to a party or a person who will or may derive a material benefit from the matter being considered by being a director, officer or trustee, of that party or person.
- a member or their close family member is otherwise materially interested in the matter being considered

Council considers it desirable to maintain a register of the interests of its members (personally, or through connection to another person or party) where it is reasonably possible that the general nature of an interest could result in a member being interested in a particular matter being considered by the Council or any of its committees and working groups. In particular, it is desirable that direct or indirect interests in persons or parties selling or purchasing goods and services that AUT does or may purchase or sell should be declared.

Where a Council member has an interest that involves the sale or purchase of goods or services that the AUT does not and is not likely to purchase or sell, Council does not consider that the declaration of such interests is necessary or desirable. **Procedure**

Prior to the Annual General Meeting of Council each year the Council Secretary shall request from Council members a declaration of interests in terms of this policy in the following style:

<b>REGISTER OF COUNCIL MEMBERS' INTERESTS</b>			
<b>Name of Member</b>	<b>Nature of Interest</b>	<b>Are you aware of any entity/ies which have a business relationship with AUT where your close family members have control or can significantly influence financial and operating policy decisions?</b>  <b>If YES, please provide the following information:</b> <ul style="list-style-type: none"> <li>• <b>Name of close family member; Nature of relationship</b></li> <li>• <b>Name of controlled entity</b></li> <li>• <b>Description of transactions with AUT</b></li> </ul>	<b>Date of Declaration</b>

If a member or a close family member subsequently gains an additional interest that should be declared under this policy, the member shall forward an additional declaration to the Council Secretary.

The Council Secretary shall keep a register of members' declarations of interests, and shall make it available to any Council member for inspection at any meeting, but shall otherwise keep it confidential.

#### **Application**

Although Council encourages all its members to comply with this policy, Council notes that it does not have the authority to require declarations of interests from its members. Compliance with this policy is therefore voluntary.

Compliance with Schedule 11, Clause 8 of the Education and Training Act 2020 remains mandatory, and compliance with this policy does not remove the requirement for Council members to make additional declarations and act according to the requirements of that section.

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CHANCELLOR

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PRO-CHANCELLOR