

# NMIT CONFLICT OF INTEREST POLICY

## MOKAMOKA WHAKAAETANGA | APPROVAL DETAILS

<b>Section</b>	Executive		
<b>Approval Date</b>	18.03.2026	<b>Sponsor</b>	Director Digital, Finance and Risk
<b>Next Review</b>	01.01.2029	<b>Approved by</b>	NMIT Council

## NGĀ WHAKATIKATIKA | AMENDMENT HISTORY

<b>Version</b>	<b>Effective Date</b>	<b>Created/ Reviewed by</b>	<b>Reason for review / comment</b>
1	01.01.2026	Transition Lead	New

## Mō wai me te whānuitanga | Audience and scope

This policy applies to:

- a) All employees of NMIT, including contracted staff, consultants and secondees providing services for NMIT; and those on fixed term contracts (may be collectively referred to as kaimahi in this policy); and
- b) All governors of NMIT, including members and advisors of NMIT Council and governance committees or boards (collectively referred to as governors in this policy).

## Te Pūtaki | Purpose

The purpose of this policy is to set out the expectation that all conflicts of interest held by NMIT kaimahi and governors are identified, declared and managed responsibly, and comply with the legal, ethical and good practice expectations regarding the management of conflicts of interest expected of a public sector organisation.

In the course of our work at NMIT, kaimahi and governors make decisions on behalf of the public about how to spend public funds. To maintain public trust and confidence, we need to assure the public that we are making those decisions:

- impartially
- in the public interest; and
- not to benefit their whānau, friends, business associates, or themselves.

In addition to maintaining public trust, the application of this Policy is to protect NMIT from perceived potential and/or actual conflicts of interest and legal, commercial, political, and/or reputational risk.

## Ngā Mātāpono | Principles

All NMIT kaimahi and governors are in a position of trust and have a professional responsibility to act in a fair and impartial manner, perform their duties honestly and openly, and avoid situations which may compromise their professional integrity or lead to conflicts of interest (actual or perceived).

As part of good public conduct, all decisions made relating to conflicts of interest are made with a spirit of:

## **Integrity**

Decision-making is underpinned by honesty and adherence to moral and ethical principles.

## **Impartiality**

Decisions are based on objective criteria, rather than on the basis of bias, prejudice, or preferring the benefit to one person over another for improper reasons.

The highest ethical standards must be observed at all times and kaimahi should not put themselves in situations whereby it could be construed that their impartiality has been or may be compromised.

## **Accountability**

We take responsibility for honest and ethical conduct towards others, and a willingness to be judged on our performance.

## **Trustworthiness**

NMIT kaimahi and governors are in a position of trust. As an institution, we earn trust by demonstrating honesty, integrity and reliability in our decision-making, in our work relationships, and in our ways of working.

## **Kaupapa Here | Policy Statements**

A conflict of interest can be

- a. **Actual** - a conflict exists now between your official duties and your personal interests or responsibilities
- b. **Potential** - a conflict could happen or is about to happen
- c. **Perceived** - a situation where other people might think a conflict exists

NMIT recognises that conflicts of interest will arise from time to time. Proper disclosure and management of conflicts enables NMIT and kaimahi to remain safe.

### **Disclosure of conflicts of interest**

NMIT expects:

- All kaimahi who hold a conflict of interest to declare that upon commencement of employment with NMIT or as soon as it arises and in accordance with the Conflict of Interest Procedures
- All governors who hold a conflict of interest to declare that upon commencement of their role with NMIT or as soon as it arises and in accordance with the Conflict of Interest Procedures

Where kaimahi or governors are unsure whether something constitutes a conflict of interest, in the interests of transparency they should disclose the conflict of interest.

NMIT expects managers, leaders and governors to remain alert to situations which may create a conflict of interest and ensure that the situation is recognised and handled in accordance with this Policy and its associated Procedures.

Where conflicts of interest are disclosed, NMIT will consider the appropriate actions to take in consideration of the principles and accordance with the Conflict of Interest Procedures.

NMIT acknowledges that declarations may involve disclosing personal information. Any information of this nature will be held in line with the Privacy Act 2020 so far as the law allows.

### **Management of conflicts of interest**

Conflict of interest situations will be dealt with as soon as reasonably practicable after they are identified.

Decisions on how to manage a conflict of interest are made in accordance with **NMIT Conflict of Interest Procedure** on behalf of NMIT by:

- for kaimahi, the manager of the kaimahi who holds the interest in consultation with People and Wellbeing, as appropriate

- a. for governors, the Chair of the Council or committee where the person holding the interest is a member of.

NMIT will implement strategies and monitoring procedures for managing a conflict of interest. Kaimahi and governors are required to comply with any such procedures.

### **Undertaking business activities outside NMIT**

Full-time employees are paid full-time salaries to complete full-time work. This must take priority over any outside business activities during normal NMIT operating hours. Employees are required to be on duty for the hours prescribed in their respective employment agreement.

Work for outside business purposes may only be undertaken by NMIT employees if it occurs in their own time, is paid for separately and does not detract from their performance of contracted duties at NMIT.

### **Supply of goods and services**

No kaimahi, contractor or consultant working on behalf of NMIT is permitted to derive, directly or indirectly, any indirect or direct pecuniary interest or benefit from NMIT's purchases except for usual NMIT salary and/or payments by NMIT for services.

Kaimahi must act fairly and in the best interests of the Institute in conducting business with suppliers.

No kaimahi is permitted to be biased or to appear to be biased because of a relationship with the entity submitting quotes, including the proposer or tenderer.

Kaimahi involved in purchasing decisions that have outside interests which are in actual or apparent conflict with the interests of the Institute, or who have close family members with such interests, must withdraw from taking part in purchasing decisions so affected and must declare their interests to the Chief Executive Officer (CEO).

The CEO may, in exceptional circumstances and at their discretion, approve the request, provided that:

- The work undertaken, or goods or service supplied, are provided on an arm's length basis, on terms and conditions that are no more favourable than would be offered to a member of the public; and
- A written contract is entered into; and
- All applicable legislative requirements are met, including health and safety requirements, and local authority regulations.

NMIT kaimahi may not, in the course of their employment, undertake work for, or supply goods or services to, another NMIT kaimahi (or any related party) for their private benefit, without prior written approval of the CEO.

### **Non-acceptance of gifts**

Business gifts, other than items of very small intrinsic value, such as business diaries or calendars, should not be accepted. Modest hospitality is an accepted part of business relationships; however, care should be taken to ensure that the acceptance of hospitality couldn't be deemed by others to have influenced a business decision. As a rule, the frequency and scale of hospitality accepted should not be significantly greater than the Institute would provide in return.

Any attempt by a supplier to gain an unethical advantage, such as the offer of a bribe or inducement in any form should be reported to the CEO.

The **NMIT Koha Policy** and procedures apply in all cases.

### **Avoiding role conflicts**

Entering an intimate relationship or a close personal relationship with other governors, kaimahi, ākonga or stakeholders should be avoided where such a relationship might influence your judgement or ability to make impartial or objective decisions.

Kaimahi and governors should not participate in processes related to academic progress, assessment, recruitment, selection, promotion, performance appraisal, termination or transfer of any person with whom they have, or have had, a close personal relationship.

Particular attention needs to be paid to relationships where there is an imbalance of power (which may lead to an abuse of power), intimate and close personal relationships, or the potential for impact on ākonga or less senior kaimahi or governors.

Kaimahi and governors enrolled as ākonga have an additional responsibility to model the highest professional conduct as conflicts of interest, or perceptions of conflict, can be common in these situations. They must not use their position as a kaimahi or governors (whichever applies) in any way to gain advantage as an ākonga.

## Breaches of Policy

Kaimahi and governors are encouraged to report any breaches of this policy to their line manager or Chair (as applicable). Kaimahi and governors may alternatively report a breach of this policy in accordance with the **NMIT Protected Disclosures (Whistleblowing) Policy**.

Breaches of this Policy by kaimahi, including failure to declare a conflict of interest, may result in disciplinary action up to and including dismissal, and, in the case of contractors, termination of the contract and/or legal action being taken by NMIT.

## Register of Interests

All conflicts of interest and relevant manager responses are to be submitted for inclusion in the relevant conflicts of interest register maintained for the Institute, and disclosure via internal and external reporting, as appropriate.

## Ngā Haepapa | Responsibilities

Role	Responsibilities
All kaimahi	<ul style="list-style-type: none"> <li>• Declare any conflicts of interest in accordance with this Policy and its related Procedures.</li> <li>• Be alert to any situations where any conflict of interest could exist.</li> <li>• Comply with any plans, mitigations or strategies to manage conflicts of interest as directed by their manager.</li> </ul>
Managers	<ul style="list-style-type: none"> <li>• Promote awareness, understanding of, and compliance with <b>NMIT Conflict of Interest Policy</b> and Procedures within their teams.</li> <li>• Assess, manage, mitigate and record all conflicts of interest in accordance with NMIT Conflict of Interests Procedures.</li> </ul>
People and Wellbeing	<ul style="list-style-type: none"> <li>• Support managers in managing conflicts of interest for kaimahi.</li> </ul>
All NMIT governors	<ul style="list-style-type: none"> <li>• Declare any conflicts of interest in accordance with this Policy and its related Procedures.</li> <li>• Be alert to any situations where any conflict of interest could exist.</li> <li>• Comply with any plans, mitigations or strategies to manage conflicts of interest as determined by the governing body or committee Chair (as applicable).</li> </ul>

## Ngā Tikanga | Definitions

Term	Definition
Conflict of interest	<p>A conflict of interest is where the responsibilities you have as NMIT kaimahi or governor overlap with some other interest you have in your private life.</p> <p>That other interest could be a non-financial interest such as a relationship (family, friends, acquaintances), a financial interest (role in another organisation, or a business interest as a</p>

	<p>shareholder, partner, benefactor, director or owner) or other personal commitments or responsibilities. They may also include the interests of whānau or friends if those interests overlap with your own professional duties.</p> <p>It is any situation where your independence, objectivity or impartiality could potentially be doubted or challenged, even if you have no intention of acting improperly.</p>
Pecuniary interest	A pecuniary interest is a financial interest or benefit, or a potential financial gain or loss. It can also refer to a financial disadvantage.
Financial conflict	<p>A financial conflict of interest is any situation where you stand to gain or lose financially from a decision you are asked to make. A financial interest means anything of monetary value, including but not limited to:</p> <ul style="list-style-type: none"> <li>• Salary or payment for services (eg. consulting fees and honoraria)</li> <li>• Equity interests (eg. shares, share options and other ownership interests)</li> <li>• Gifts</li> <li>• Allowances, forgiveness of debts, interests in real estate, or personal property, dividends, rents, capital gains; and</li> <li>• Intellectual property rights (eg. patents, copyrights, royalties from these rights).</li> </ul> <p>These interests can be direct (you will gain or lose personally) or indirect (a person close to you will gain or lose).</p>
Non-financial conflict	A non-financial conflict of interest is any situation where you are not affected financially by a decision but are affected in some other way that might make you biased or appear to be biased. A non-financial conflict of interest might arise, for example, from a family relationship, friendship, or any other sort of personal relationship, or if you are involved with another organisation outside of NMIT.
Conflict of roles	A conflict of roles can arise in any situation where you are a decision-maker for two different organisations about the same matter. The question you need to consider is not so much whether your interests conflict, but whether the interests of the two organisations you work for do.
Abuse of power	Abuse of power is where someone uses their position of power or authority in an unacceptable manner. Abuse of power can take various forms and may include, but is not limited to, grooming, manipulation, coercion, putting pressure on others to engage in conduct that they do not feel comfortable with.
Close personal relationship	<p>A close personal relationship is a non-intimate relationship but is of a nature where the connection goes beyond a casual acquaintance. Without limiting the types of relationships, examples include:</p> <ul style="list-style-type: none"> <li>• relatives or close family friends</li> <li>• a relationship of financial dependence</li> <li>• sharing a domestic living arrangement (eg. a flatting situation).</li> </ul>
Intimate relationship	An intimate relationship is a consensual romantic or sexual relationship. An intimate relationship could be brief and includes a one-off or sporadic occurrence.

## Ngā Hononga ki Tuhinga kē | Links to other documents

### NGĀ KAUPAPA-HERE E HANGAI ANA | RELATED POLICIES

NMIT Staff Code of Conduct  
NMIT Procurement Policy  
NMIT Koha Policy  
NMIT Protected Disclosures (Whistleblowing) Policy  
NMIT Information Management Policy

### NGĀ TUKANGA ME NGĀ HĀTEPE | RELATED PROCESSES, PROCEDURES

NMIT Conflict of Interest Procedures  
NMIT Protected Disclosures (Whistleblowing) Procedures

### TURE WHAI TAKE | RELEVANT LEGISLATION OR GUIDANCE

[Education and Training Act 2020](#)

[Privacy Act 2020](#)

[Public Records Act 2005](#) Public Records Act 2005

“[Managing conflicts of interest: A guide for the public sector](#)” (a good practice guide published by the Office of the Auditor General under section 21 of the Public Audit Act 2001((June 2020)

TEC’s [A guide to managing conflicts of interest for TEI councils](#)

Controller and Auditor General’s [Managing conflicts of interest](#)

### NGĀ TAPIRITANGA | APPENDICES

#### **Appendix 1: Examples of conflicts of interest**

#### **FINANCIAL INTERESTS**

#### **SECONDARY EMPLOYMENT / OUTSIDE WORK**

#### **PERSONAL RELATIONSHIPS**

- Personal and family relationships between staff
- Personal and family relationships between staff and students

#### **RESEARCH**

#### **OTHER EXAMPLES**

## Appendix 1. Examples of conflicts of interest

### FINANCIAL INTERESTS

A conflict of interest may arise where an individual makes, participates in, or has the ability to influence decisions that could advantage their own personal and/or financial interests or affiliations. Such interests and affiliations may include investments, ownership or directorship of external entities, NMIT consultancies, provision of goods or services, receipt of royalties or other considerations. A conflict of interest may arise, for example, where:

- a kaimahi or a member of their immediate family has a direct or indirect financial interest, or hold a directorship, in a company or other entity which supplies, or is likely to supply, goods and/or services to NMIT, or which operates in competition with NMIT.
- a kaimahi's immediate family member is employed by a prospective or current vendor.
- a kaimahi provides paid consultancy services to a company that NMIT intends to contract and is involved in the vendor selection.
- a kaimahi with decision making powers in relation to a tender offered by NMIT accepts a gift or hospitality from a person associated with a company which is tendering the work from NMIT.
- a financial delegate approves payments to themselves or to someone with whom they have a personal relationship.

<p>I work at NMIT as a kaiako (tutor) in the trades department and I am also a director and shareholder of a small company that produces engineering equipment. Our company is seeking to supply this equipment to NMIT.</p> <p>Can I take part in the normal decision-making process for the selection of this equipment at NMIT?</p>	<p>This situation presents a clear conflict between your roles in each organisation as you have a direct financial interest in the outcome of this selection process. Your duties to NMIT oblige you to select a competitive supplier, but your personal interest and duty to the company of which you are a director may reasonably be interpreted as you favouring that company or giving it an advantage over others.</p> <p>Disclosing your interest allows your manager to ensure that any decision about the equipment is unbiased and reduces the risk of any bias or perception of bias in the decision itself.</p> <p>You should take no part in the discussion concerning that equipment. Your manager may approve your being asked to provide input concerning this matter because of your expertise, but only so you can provide specific information. You should not be involved in making the decision.</p>
<p>My role involves selecting contractors to carry out work for NMIT and managing the relationship with those selected. The project manager of one of our current developments has offered to give me a tour of a similar project they have just completed. He has also kindly offered to get me tickets for a rugby game, with hospitality at the company's corporate box. I'm concerned that this could be seen to bias my judgement in their favour should they apply to undertake further contracts in the future.</p>	<p>This is potentially a significant conflict situation. As a manager who influences decision-making in this area you cannot be seen to be either receiving gifts or hospitality or socialising with any one party to the potential disadvantage of others.</p> <p>You should report this matter to your manager who in turn should discuss the matter directly with the supply company.</p> <p>Further explanation of this area can be found in the <i>NMIT Sensitive Expenditure Policy</i>.</p>

**SECONDARY EMPLOYMENT / OUTSIDE WORK**

A conflict of interest arises where an individual’s secondary employment or outside work activities create or appear to create a situation where they may not be undertaking work and making decisions in the best interests of NMIT and / or may not be giving their full commitment to NMIT in terms of work attendance, performance and behaviour.

A conflict of interest may arise, for example, where secondary employment:

- is undertaken during the same hours that an individual is being paid as a kaimahi of NMIT.
- Requires an individual to devote so much time to their secondary employment that the amount or quality of their work for NMIT is compromised.
- makes use of any NMIT facility, equipment or resource including computer software and information technology resources.
- makes use of, or may benefit from, commercial or other information that the individual possesses by virtue of their employment or engagement with NMIT.
- occurs within an organisation that may compete with NMIT for funds, staff, students, projects, consultancy or in any other activity.
- occurs within an organisation that supplies NMIT with equipment, services or staff.
- occurs within an organisation that is a customer of NMIT and may acquire equipment, services or staff from NMIT.
- creates a commitment outside NMIT that involves frequent or prolonged absence(s) from NMIT on non-NMIT business.

All private consultancies or outside work undertaken in private capacity must be disclosed to NMIT in accordance with this policy.

Unpaid or voluntary work is generally not regarded as secondary employment. However, conflict of interest issues may still arise in relation to voluntary work and should be addressed in accordance with this policy should they occur.

<p>I’m employed at NMIT as a part-time kaiako. We’ve always had a strong working relationship with a PTE that pathways some students to us. That PTE has just offered me part-time employment, which I really want to take up as I need to have full-time work. Can I accept the role?</p>	<p>The best course of action would be to disclose this to your manager and to People and Wellbeing.</p> <p>You should discuss expectations that will help you to avoid any potential conflicts of interest and/or address them as potentially conflicting situations arise. Other NMIT policies (eg. Privacy, Intellectual Property) apply at all times.</p>
<p>My colleague is a full-time tutor but she leaves every day at 3pm to work in her private business. She seldom attends team meetings or planning sessions, and doesn’t make herself available to ākongā outside of class, so we’re having to pick that up. We all feel like her own business is taking precedence over her role at NMIT and it’s impacting on the learning experience for akonga, and our workloads.</p>	<p>This situation represents a potential conflict of interest where your colleague is not giving their full commitment to their role at NMIT and may not be making decisions in NMIT’s best interests.</p> <p>You could discuss this directly with your colleague or share your concerns with your manager who in turn should discuss the matter directly with your colleague to ensure attendance, performance and behaviour meet NMIT’s expectations for the role.</p>

## PERSONAL RELATIONSHIPS

### Personal and family relationships between staff

A conflict of interest may arise where a staff member is working with family members or with people they have a close personal relationship with, or such relationships exist with prospective staff.

Examples of such conflicts of interest include, for example when one kaimahi is:

- involved in a decision relating to the selection, appointment or promotion of another
- in a supervisory relationship to another and is responsible for employment-related decisions, such as the provision of opportunities and resource allocation for research, conferences and staff training and development; referee reports; or performance reviews
- appointed to an appeals committee and has or has had a close personal relationship with another kaimahi who is involved in the decision under appeal
- appointed to a committee to select the recipient of an award and an individual with a close personal relationship to the kaimahi is a candidate for the award

<p>I need to fill a vacancy for a business support role. A manager in a different department has approached me to interview his nephew for the position.</p> <p>I feel very compromised as I would not wish to embarrass the manager if his nephew isn't appointed.</p>	<p>The best way to proceed would be to point out to the manager that his nephew will need to participate in NMIT's usual open recruitment process and direct him to the vacancy information that he can share with his nephew.</p> <p>You should ensure that all aspects of the recruitment process follow standard policy and procedures, involve other kaimahi in the process and decision-making, and are fully documented. Any continued involvement or pressure from the other manager should be raised with People and Wellbeing.</p>
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### Personal and family relationships between staff and students

A conflict of interest arises where a kaimahi has or has had a close personal relationship with a student for whom they have academic, administrative or other responsibilities. Such responsibilities may include:

- the supervision or assessment of students, and allocation of marks, grades and completion awards
- the selection of students for admission, awards or scholarships
- appointment to a committee to consider an academic appeal
- providing referee reports.

In such cases, the kaimahi must bring the matter to the attention of their line manager and take immediate steps to resolve the conflict.

<p>I am a kaiako and my daughter has enrolled in a course that I teach at NMIT. What should I do?</p>	<p>The best course of action would be to disclose your relationship to your manager and discuss options available within the academic team. If it's not possible to place your daughter in a different cohort, your manager may request that you not mark any of her work, enter results, or take part in any decisions relating to rewards, awards or scholarships.</p>
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## RESEARCH

*(Refer to **NMIT Research and Rangahau Policy** for further guidance)*

A conflict of interest arises for researchers where a competing private interest compromises, or has the appearance of compromising, the researcher's professional judgment in conducting, evaluating or reporting on research. It may affect, or be seen to affect, not only the collection, analysis and interpretation of data, but also the hiring of staff, procurement of materials, sharing of results, choice of licensees, choice of protocol, involvement of human subjects, and the use of statistical methods.

A conflict of interest may arise, for example, where:

- the research is sponsored by another person or entity with which the researcher has an affiliation or a financial involvement.
- the researcher may benefit, directly or indirectly, from any inappropriate dissemination of research results (including any delay in or restriction upon publication of such results).
- the researcher may personally benefit, directly or indirectly, from the use of NMIT resources in conducting NMIT research.
- the researcher conducts a clinical trial which is sponsored by any person or organisation with a significant interest in the results of the trial.
- private benefits or significant personal or professional advantage are dependent on a researcher's research outcomes.
- in the peer review and publication process, an author, reviewer or editor allows personal conviction, financial interests, or personal views (of amity or enmity) to influence the work improperly.
- in relation to the commercialisation of research, substantial benefits for a researcher arise from collaborations and relationships with industry in the licensing and marketing of research discoveries and in the creation of spin-off companies.

I'm carrying out NMIT-funded research that will potentially be of great benefit to industry. Because of my role at NMIT I am privy to certain information in this area that is not in the public domain. I have been approached by a key player within the industry to take on a role with their company. However, I am concerned that they will expect me to share information arising from my research. What should I do?

In the first instance you should talk directly with your manager. If you accept the offer of a role, you will need to discuss your concerns with the company and get assurances from the outset that they will not put you in a position that conflicts with your role at NMIT.

It may end up that you will have to decide which role you will keep, and which you will drop.

## OTHER EXAMPLES

- A kaimahi uses information received as an NMIT employee for personal purposes.
- A kaimahi receives gifts, gratuities, loans or special favours (including trips or speaker's fees) from research sponsors or vendors.
- A kaimahi directly receives cash, services or equipment in support of their NMIT activities from non-NMIT sources.
- A kaimahi or close associate holds an interest, including ownership, in any real or personal property leased or purchased by NMIT.