

Extract of Document I

Agenda Item	4
Subject:	Approach to Managing Conflicts
Prepared by	[REDACTED]
Cleared by:	[REDACTED]
TRIM reference:	20/76893
Attachment:	Nil

Purpose:

To highlight that the management of conflicts of interest (real or perceived) is a key matter that is currently being worked on.

Recommendations:

That the Council agree to the approach recommended in this paper as a foundation for a conflict of interest framework for the Council.

Background

In determining the composition of the Council, it is apparent that the Government has sought members that are leaders in business and the community sector, and have appropriate experience and insight to inform the Council's recommendations. Having a first-hand understanding of the real consequences of COVID-19 on business and the community and, importantly, the experience to frame practical and implementable policy responses for Government consideration is the reason the Government has established the Council.

It is likely that Council members could become aware of information through the work program that has the potential to provide a member with a material market advantage in some circumstances.

Moreover, in framing recommendations that address the terms of reference, there is a very real possibility that Council members, or their related entities, could either directly, or indirectly, benefit from the implementation of those recommendations.

Accordingly, the Council needs a practical and rigorous approach to managing actual or perceived conflicts of interest, while harnessing the experience of Council members. This could be important in providing confidence to third parties to engage in the consultation processes required to complete the Council's work.

There is work underway within Government to inform the development of an appropriate conflicts management framework for the Council, and given the timeframes for the Council's work, this is being accorded a priority. In the interim, there are some sensible initial steps that the Council can implement in underpinning the framework.

Proposed arrangements

1. Declaration of Interests

It is recommended that the Council establish a Register of Interests, which would be maintained by the Director of the Secretariat. Information provided by each member would be entered into the Register and tabled at each meeting of the Council.

In the first instance, the Register would record the names of any business, organisation, entity or body to which members owe a duty, whether remunerated or not. Where specific conflicts arise (or are perceived), further information may be sought from Council members to determine the nature of any conflict.

It is recommended at the commencement of each meeting, the Chair would ask of members whether there is any change or update of the Register that is required to keep it current, or whether there is any specific actual or potential specific conflict that arises in relation to business before the meeting.

2. Conflicts arising from the work program

It is recommended that the Chair communicate the Agenda for each meeting to Council members, with a brief outline of the content of each item. Any member identifying a potential conflict with the agenda item is to raise the nature of the conflict with the Chair, and consideration will then be given to the nature of any involvement of the member in that agenda item.

Depending on the nature of the matters being considered, managing that conflict might require that the member not be provided relevant papers, and will absent themselves from that agenda item during the meeting. Alternatively, the appropriate treatment might require the member to have a modified/redacted form of a relevant paper provided to the full Council (eg. if there was sensitive information contained within it). Alternatively, it may be judged that the conflict is not material and the member may fully participate in discussion, but perhaps not participate in the resolution of the matter.

Identified conflicts, and the strategies to deal with them, will be recorded by the Secretariat and form part of the records of the Council.

Communication to Heads of Agency Reference Group or Premier

That the Council will provide its conflicts management arrangements to the Reference Group, and that be communicated to the Premier.

Document 2

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 13 May 2020 8:49 AM
To: Brett; Don; Kim; McLean, Leanne (ChildComm); Paul Ranson; Rufus; Tim
Cc: Dale; Sam
Subject: Standing Interests Declaration
Attachments: Interests Template.docx

Council members

Both Dale and Sam have been quicker off the mark than I, and have already provided their list of interests. To facilitate this process for the balance of the Council, here is a template as per the discussion at the first meeting.

Regards

[REDACTED]

Released under RTI