

Cycling New Zealand Overview

Purpose: Unlocking People Potential

Vision: A thriving community across the sport of cycling

Values:

Integrity

We are honest and transparent, uncompromising in our commitment to strong moral, respectful, and ethical principles

Innovation

We constantly look at working smarter and more efficiently – seeking improvement in all we do

Excellence

We aim high in everything we do, striving to be better in all we do

Collaboration

We connect to achieve our purpose, we build trust in our relationships

CONFLICT OF INTEREST

Purpose

The purpose of this Policy is to:

- a) Explain what constitutes an actual, apparent or potential conflict of interest.
- b) Inform Cycling New Zealand (CNZ) employees, contractors, and potential employees / contractors of the declaration of interest process required prior to commencement of employment, and annually thereafter, and at the point where an actual, apparent or potential conflict of interest arises, and how conflicts of interest are managed.

Scope

This Policy applies to

- (i) CNZ employees, contractors (being an organisation or person with a contract for services), athletes (who have signed an athlete agreement) and volunteers of CNZ.
- (ii) Board members, member organisations, clubs, and school cycling teams, affiliated to CNZ.
- (iii) High Performance Sport New Zealand and Sport New Zealand employees and contractors operating within the sport of cycling.
- (iv) Any other support personnel appointed or elected to CNZ.
- (v) Technical officials, including coaches, commissaires and other officials participating in, but not limited to events, camps, or training sessions, recognised or sanctioned by CNZ.

Conflicts of Interest

A conflict of interest arises where there is a conflict between an employee's/ contractor's obligations to CNZ and their personal or private interests. In this policy, the expression "conflict of interest" includes conflicts of duty, conflicts of role, and bias.

A conflict of interest may be:

- (i) Actual: where a conflict currently exists; or
- (ii) Apparent: where other people may reasonably think that a person is compromised; or
- (iii) Potential: where a conflict is about to happen or could happen.

Such conflicts of interest may affect the independence, objectivity or impartiality expected of CNZ employees/contractors in the performance of their roles, and in the decisions, they make.

An employee/contractor who engages in any activity or who has any personal or private interest which adversely affects their ability to carry out their responsibilities to CNZ, or which potentially puts them in competition with CNZ, is considered to have a conflict of interest. This may include but is not limited to: financial interests, ongoing work, voluntary commitments (whether remunerated or unremunerated), board appointments with Member¹ or associated organisations, relationships with other employees/contractors of CNZ, or with providers of services to CNZ.

A conflict of interest may be more apparent or potential, rather than actual. Perception is an important factor in the sports sector as the processes of government funded incorporations must be fair and ethical and must be seen to be so. Apparent and potential conflicts of interest must therefore be managed in the same manner as actual conflicts of interest.

A conflict of interest is not confined to a situation where the exercise of decision-making powers may provide financial advantage to the individual concerned. It is concerned also with the exercise of decision-making powers in an open and impartial manner, the conduct of activities free of bias and with behaviour which ensures that the information gained in the performance of certain duties will not be used to further personal, private, or other outside interests.

Employee Declaration of Interest and Conflicts of interest

CNZ employees/ contractors are required to make a written declaration of interest at the following times:

- (i) As part of the potential employee/ contractor recruitment process. If the potential employee/ contractor has no actual, apparent or potential conflicts to declare they are to declare a 'NIL' return.
- (ii) Annually. The CEO or People & Culture Manager will ask all employees to resubmit a declaration of interest through an annual process. Again, where the employee has no actual, apparent or potential conflicts of interest to declare they are to declare a 'NIL' return.
- (iii) At any point in time at which the employee/ contractor becomes aware of a potential or apparent conflict of interest, as soon as practical, and prior to any actual conflict of interest arising.

All declarations and other statements pertaining to conflicts of interest must be in writing and must be complete and accurate providing as much information as possible. A false or misleading declaration, or a failure to declare a conflict prior to the conflict arising, is regarded as serious misconduct. Failure to comply with this obligation may result in disciplinary action, including termination of employment or contract for service.

All Declarations of Interest (actual, apparent or potential) will be recorded and retained in the CNZ HRIS (HR Information System) for employees or in the People Management channel in Teams.

Contractor Declaration of Interest and Conflicts of interest

Contractors who have signed up using the standard CNZ contractor agreement for services, have committed to the undertakings in relation to Conflicts of Interest (*refer Clause 4.5 and 11.1 f.*).

Member Organisation Board Appointments

¹ Member organisations include MTB, BMX, Road, Track, and any other that holds a CNZ license.

Prior to an individual applying for a Board position with a CNZ Member Organisation, the staff member must discuss with their people manager² and receive CEO approval to commence the process.

Should the individual be successful in being appointed to a Board position they must inform their people manager and complete the Declaration of Interest form that will be approved by the CEO.

Managing an employee conflict of interest

Actual, apparent and potential conflicts of interest can frequently arise in the public sector and are not inherently unethical or wrong. They need not cause problems when they are promptly disclosed and well managed. All such conflicts of interest will be actively managed.

The Manager, along with the CEO and People & Culture Manager, will consider the potential for conflict based on the information available to them. Should they judge that a conflict of interest either exists or is apparent or may potentially occur, the employee/ contractor may be required to terminate their involvement in the conflicting interest immediately or decline the event/ position that is deemed to be the conflict. This must be recorded in writing.

Thereafter activity which conflicts with the interests of CNZ that is deliberate and pursued knowingly without approval may be regarded as serious misconduct. Failure to comply with this obligation may result in disciplinary action, including termination of employment/ contract for service.

In some circumstances, where there is an apparent, but no actual conflict of interest, it may be possible to manage the situation in such a way as to mitigate any apparent conflict of interest and to avoid any actual conflict of interest occurring. For example, to remove an employee/ contractor from decision-making processes in relation to that activity. This is at the discretion of the CEO, advised in writing and evidenced through documentation such as meeting minutes.

Who is responsible for what?

Position	Responsible for:
CEO & people managers	<ul style="list-style-type: none"> • Requesting employees complete a new Declaration of Interest in the Conflict of Interest Register, upon becoming aware of any actual, apparent, or potential conflict of interest. • Ensure contractors agree to the required Conflict of Interest clauses required of them. • Ensuring management of apparent, potential or actual conflicts of interest for employees and contractors (as approved by the CEO) are in place and operating effectively. • Notifying the CEO or People & Culture Manager when they become aware of any actual, apparent or potential conflict of interest arising for an employee or contractor.
Employees/ Contractors	<ul style="list-style-type: none"> • Understanding their responsibilities with respect to this policy. • Completing the Declaration of Interest Form on commencement of employment and annually thereafter. • Completing a Declaration of Interest in the Conflicts of Interest Register prior to becoming involved in any new activity that may create an apparent, potential or actual conflict of interest. Providing as much detail as possible. • Inform the People & Culture Manager of any updates made in the Conflicts of

² People Manager – an individual who has delegation of people responsibilities, including CEO, Directors, Managers

	<p>Interest Register outside of the annual review period.</p> <ul style="list-style-type: none"> • Notifying the CEO or the People & Culture Manager when they become aware of any actual, apparent or potential, conflict of interest arising for another employee or contractor.
People & Culture Manager	<ul style="list-style-type: none"> • Collating annual Declaration of Interest Registers and seeking CEO approval for any interests declared. • Requesting Declaration of Interest forms to be completed by all potential employees prior to a formal offer and seeking CEO approval for any interests declared. • Following up on any potential conflicts of interest that are declared during the year by employees to ensure the appropriate CEO approvals have been provided. • Ensure employees understand their responsibilities with respect to this policy at the time of their employment and periodically during their employment (at least annually). • Advise the employee (and their people manager) in writing of the CEO decision in regard to any declared interest activity, including the agreed management of any actual, apparent, or potential conflict of interest.

Breaches

Any breach of this policy, or any part of it, may result in disciplinary action under the individual’s employment agreement, contract or other applicable CNZ regulations and policies.

Amendments

CNZ may, at its sole discretion, amend this policy to suit business needs at any time and will provide an update specifying any such amendments.

References

- Cycling New Zealand Code of Conduct
- Cycling New Zealand Close Personal Relationships Policy
- Cycling New Zealand Employee Disciplinary Policy
- Cycling New Zealand Discrimination, Bullying & Harassment Policy
- Cycling New Zealand Recruitment & Selection Guidelines

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