CHECKLIST FOR IDENTIFYING RISKS OF CONFLICT OF INTEREST IN CLIENT AND CONTRACTOR RELATIONSHIPS

The purpose of this tool is to assist you in identifying conflicts of interest risks arising from client and contractor relationships. Specific policies should exist for some of the issues raised below (e.g. management of confidential information) and these policies may need to be amended to ensure they are consistent with your conflicts of interest policy. If any of the areas listed raise specific risks for your organisation, check that your policy provides appropriate management strategies. Robust case and file management systems combined with regular auditing are useful risk management strategies.

CLIENTS

Conflicts of interest are a risk in relationships your organisation's employees have with clients. This risk is heightened where your organisation's employees are involved in:

- collecting, assessing, using, distributing or holding confidential information
- working alone with clients
- updating and changing personal information
- exercising discretionary authority
- providing professional advice
- licensing, assessing or regulating client activities
- providing qualifications or certification
- testing
- allocating funding, public resources or access to public equipment (particularly where demand exceeds supply).

CONTRACTORS

Conflicts of interest are a risk in relationships your organisation's employees have with contractors. Where your organisation's employees are involved in contracting and procurement, the following areas present conflicts of interest risks:

- receipt of gifts and other forms of benefit
- access to confidential information
- allocation of contracts under the tender threshold
- any pre-tender, market-sounding activities
- tender evaluation and the bidding process
- secondary and post-separation employment
- contract administration.

STRATEGIES

If your organisation is involved in any of these activities consider also whether these risks are being managed by any of the following strategies:

- providing information about public sector values and business ethics to your community, clients and contractors
- distributing a statement of business ethics to external business parties
- conducting regular audits of client relationships and/or contract administration
- maintaining robust case and file management systems.