



When replying please quote: 8800053

5 August 2022

Peter Hardgrave

[fyi-request-19870-b14a532f@requests.fyi.org.nz](mailto:fyi-request-19870-b14a532f@requests.fyi.org.nz)

Dear Mr Hardgrave

## **LGOIMA RESPONSE - NPDC STANDARDS OF INTEGRITY, CONDUCT AND CONFLICT OF INTEREST POLICY**

Please find below New Plymouth District Council's response to your LGOIMA request of 10 July 2022.

**1. Please provide copies of NPDC's policy documentation regards integrity and conduct.**

[Councillors Code of Conduct](#)

Staff Code of Conduct (Attachment 1)

Internal Staff Policy – Sensitive Expenditure (Attachment 2)

Internal Staff Policy – Fraud or Corruption (Attachment 3)

Internal Staff Policy – Protected Disclosures Policy (Attachment 4)

Internal Staff Policy – Respect in the Workplace Policy (Attachment 5)

**2. Please provide copies of NPDC's policy documentation for managing conflicts of interest – a declaration. This would be the essential documentation that shows all NPDC staff involved in a procurement activity complete and sign a Conflict of Interest. This Declaration and a Confidentiality Agreement. Would include.**

**2a. all members of the procurement team (staff, contractors and consultants)**

**2b. all members of the evaluation panel**

**2c. any consultant asked to advise the team**

**2d. anyone involved in making a recommendation**

**2e. anyone involved in approving a recommendation or making an important decision**

**2f. anyone making a financial approval for the procurement.**

**The Declaration would require the person to identify any actual, perceived or potential conflicts of interest.**

Conflict of Interest, confidentiality agreement and management plan form (Attachment 6)

Annual declaration by ELT and Mayor and Councillors template (Attachment 7)

**3. Please provide proof that the declarations register is revisited regularly and checked once a supplier has been chosen. Everyone who has signed one needs to check whether they have a conflict of interest in relation to the supplier or any of the named personnel in the supplier's tender.**

Annual declaration by ELT and Mayor and Councillors (see template in question 2) and provided to AuditNZ.

The Elected Members Register of Interests is included on the agenda for every Ordinary Council meeting (for example pages 6 - 12 of this [agenda](#)).

**4. Please provide copies of NPDC's policy documentation regards managing an identified conflict of interest.**

[NPDC Procurement Policy](#)

Internal Procurement Manual (Attachment 8)

Internal Procurement Process Map (Attachment 9)

[Government Procurement Rules](#)

NZ Government: Quick Guide: Conflicts of Interest (Attachment 10)

New Supplier Pack (Attachment 11)

Staff Code of Conduct (Attachment 1)

The staff terms and conditions of employment state that employees:

- Must not undertake any secondary employment or otherwise be employed, engaged or concerned in the conduct of any business without first discussing this with the employee's manager and obtaining the manager's written approval. The reasons for this restriction are so that NPDC can mitigate risks (including risks to health and safety and risks to NPDC's commercially sensitive information and intellectual property) and manage or prevent any real or perceived conflict of interest. The employee agrees that these are genuine reasons based on reasonable grounds for the purposes of section 67H of the Employment Relations Act 2000.
- Must not represent, or claim authority to represent, NPDC unless authorised to do so.
- Must comply with all lawful and reasonable instructions and all house rules, policies and procedures including NPDC's Code of Conduct.

**5. A list of all current disclosed and undisclosed conflicts of interests.**

Elected Members Register of Interest (as at 4 August 2022) (Attachment 12)

Conflict of Interest forms and management plans sit alongside all the contract documentation (and not in a register). Compilation of this data is likely to require a significant amount of time, please advise if you would like us to prepare an estimate of time and cost (if any) to compile the data. It is possible that some of the data would be withheld to protect the privacy of individuals.

Each Annual Report provides a note regarding any related party transactions for the period (for example page 128 in [Annual Report 2020/21](#)).

**6. A list of all the companies, individuals and organisations that the mayor, Councillors and chief executive work for or contract to as consultants or advisors or in any role other than Mayor, Councillor or chief executive either as a sole trader, a company, for a company, or as an individual.**

Please refer to the Elected Members Register of Interests (question 5).

**7. The number of hours/days per week the Mayor, Councillors or Chief Executive generally work or have planned to work, or have disclosed that they work or will work, as an advisor or consultant or in any capacity other than as their local government position, as disclosed to colleagues and council staff, and/or recorded via meetings schedule or weekly calendar, and/or by any other statement or admission.**

The Council does not hold this information.

**8. Details (times, dates, duration, attendees) of any meetings the Mayor, Councillors or Chief Executive have held or planned to hold for non-council business, for personal use, as a consultant or an advisor, and in any capacity other than their local government position in their council offices or on council premises, or organised by or via council personal assistants or secretaries (or any other NPDC staff member).**

The Council does not hold this information. Executive assistants are not involved in arranging non-council meetings for the Mayor, Councillors or Chief Executive.

**9. Please provide details of any National Audit Office (NAO) inspections, reviews, assessments or investigations between 1st January 2016 and 10th July 2022.**

The National Audit Office is United Kingdom organisation and has no involvement with New Plymouth District Council.

Council's Long-Term Plan and Annual Reports are audited by Audit New Zealand who report to the Office of the Auditor General. Copies of those documents are available on the Council's website.

**10. Please provide details of any Serious Fraud Office (SFO) inspections, reviews, assessments or investigations between 1st January 2016 and 10th July 2022.**

Nil.

**11. Please provide details of any Police inspection, reviews, assessments or investigations between 1st January 2016 and 10th July 2022.**

The matter relates to a potential issue under the Council's Fraud Policy, involves a former contractor and is understood to be of a relatively minor financial sum. The matter was lodged with Police in October 2020 and is currently under investigation.

Details of the individual(s) involved are withheld under section(s) 7(2)(a) (to protect the privacy of natural persons) and 6(a) (providing the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial).

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Yours faithfully



Julie Straka  
GOVERNANCE LEAD