



## **CONFLICT OF INTEREST POLICY**

## **SOUTH EAST TEXAS REGIONAL PLANNING COMMISSION CONFLICT OF INTEREST POLICY**

South East Texas Regional Planning Commission (SETRPC) Executive Committee Voting Members, Advisory Group Members and Staff Members [hereafter referred to as Representative(s)] must avoid any conflict of interest as relates to business conducted by the SETRPC. A “conflict of interest” occurs when a Representative’s private interest interferes in any way with the interests of the SETRPC as a whole. In addition to avoiding conflicts of interest, Representatives should also avoid the appearance of a conflict. High standards, ethical behavior, personal integrity, and impartiality are critical to the reputation and ultimate success of the SETRPC. In keeping with these norms, Representatives should refrain from engaging in any behavior that might be construed as self-dealing or in conflict with the mission, goals, and fundamental purpose of the SETRPC.

SETRPC acknowledges that the appearance of a conflict of interest does not always imply actual conflict. Policy requires, therefore, that all potential conflicts of interest – including memberships in or affiliation with non-profit or proprietary organizations, business affiliations with possible vendor implications, elected office at any level, outside employment, and involvement in any other activity - that may reasonably be construed as a conflict of interest should be disclosed. This policy does not attempt to describe all potential conflicts of interest that could develop. A situation of conflict can arise when a Representative or a member of his or her family takes actions or has interests that may make it difficult for the Representative to make decisions on behalf of the SETRPC objectively and effectively. A conflict of interest can also arise when a Representative or a member of his or her family receives improper personal benefits as a result of the Representatives position. Some of the more common conflicts that Representatives must resolve or avoid are as follows:

- Serving on boards of organizations that are in direct programmatic competition with the SETRPC.
- Using equipment or other resources of the SETRPC for personal use or gain or to secure outside personal gain.
- Citing participation in the SETRPC to advance personal, political or profit-motivated activities.
- Marketing services or products to the SETRPC on a non-competitive basis.
- Disclosing to outside parties plans and other information about the SETRPC when such information is not readily available to the public.
- Leveraging involvement with the SETRPC to secure favorable rates, discounts or other preferential treatment.
- Profiting materially through counseling or other instructional activities predicated on skills and knowledge gained through association with the SETRPC.
- Taking part in and deliberation, discussion, decision, or vote where a Representative or his or her family member stands to receive material financial benefit.

### **PROCEDURES RELATED TO CONFLICT OF INTERESTS**

#### **1. Disclosure Prior to a Decision/Vote Being Made**

If a Representative believes he or she has an actual or potential conflict of interest prior to a decision or vote being made, he or she should notify the Committee Chairperson (if a Committee Meeting) or the President of the SETRPC Executive Committee (if an SETRPC Executive

Committee Meeting) and SETRPC Executive Director as promptly as feasible and shall not participate in any deliberation, discussion, decision, or vote that in any way relates to the matter that gives rise to the conflict.

**2. Disclosure After a Decision/Vote Has Been Made**

If a Representative believes he or she has an actual or potential conflict of interest after a decision or vote has been made, he or she should notify the Executive Director of the SETRPC immediately. The SETRPC Executive Director will notify the SETRPC Executive Committee President and provide him or her with any pertinent information related to the issue. The SETRPC Executive Committee President may make an immediate decision or request a review and vote from the SETRPC Executive Committee.

**3. Addressing the Conflict of Interest**

If a conflict of interest is found to exist, immediate action will be taken to resolve the issue as quickly as possible.

**4. Violations of the Conflict of Interest Policy**

If there is reasonable cause to believe that a Representative has failed to disclose a conflict of interest, the Representative shall be informed of the basis for such belief by the SETRPC Executive Director and afforded an opportunity to explain the alleged failure to disclose. After hearing the Representative's response, the SETRPC Executive Director may further investigate or a decision on the matter can be made. If it is determined a Representative has failed to disclose a conflict of interest, appropriate disciplinary or corrective action shall be taken.

**5. Record of Proceedings**

Any actual or potential conflicts of interest disclosed or identified during committee meetings or Executive Committee meetings should be noted in the meeting minutes. The minutes shall contain the name(s) of the person(s) who disclosed or otherwise were found to have a conflict of interest or potential conflict of interest, the nature of the conflict of interest, and a statement that such person(s) abstained from participating in any deliberation, discussion, decision, or vote related thereto.

Any decisions made by the SETRPC Executive Director (Violations of Conflict of Interest Policy) or the SETRPC Executive Committee President (Disclosure After a Decision/Vote has Been Made) shall be fully documented in writing.

**6. Annual Distribution**

Annually this statement will be distributed to the SETRPC Executive Committee and SETRPC staff and provided to new hires during new employee orientation. In addition, a copy will be posted on the SETRPC website.

**7. Periodic Reviews**

To ensure that the SETRPC operates in a manner consistent with its purposes, periodic reviews of this policy and its enforcement may be conducted. Any revisions will be presented to the SETRPC Executive Committee for approval.