

 <b>Central Highlands</b> Regional Council	<b>CENTRAL HIGHLANDS REGIONAL COUNCIL POLICY</b>	
	Conflict of Interest	<b>POLICY REF NO</b> CHRCP: 0038

## 1.0 Policy Purpose

1.1 This policy defines council’s commitment to assist employees of Central Highlands Regional Council to identify and manage conflicts of interest and to foster:

- 1.1.1 Integrity and impartiality.
- 1.1.2 Promoting the public good.
- 1.1.3 Commitment to the system of government.
- 1.1.4 Accountability and transparency.

## 2.0 Policy Statement

### Responsibilities

- 2.1 The Chief Executive Officer is responsible for:
- 2.1.1 Ensuring the conflicts of interest policy is kept current.
  - 2.1.2 Arranging investigations of possible conflicts as required.
  - 2.1.3 Ensuring the policy is enforced.

## 3.0 Identifying Conflicts of Interest

- 3.1 A conflict of interest is defined by the *Public Sector Ethics Act 1994* as a conflict between a person’s private interests and a person’s official duties.
- 3.2 There are three (3) types of conflicts of interest:
- 3.2.1 Actual conflict of interest.
  - 3.2.2 Perceived (or apparent) conflict of interest.
  - 3.2.3 Potential conflict of interest.
- 3.3 All employees, contractors and volunteers are directed to the Conflict of Interest Procedure and checklist on the Queensland Crime and Corruption website; ‘Identifying Conflicts of Interest in the Public Section’ and ‘Managing Conflicts of Interest in the Public Sector’ click [here](#) for further information.

## 4.0 Areas of Activity Where Conflicts May Arise

- 4.1 A conflict of interest may arise as a result of the council’s involvement in any of the following matters:
- 4.1.1 Appointing and managing staff.
  - 4.1.2 Providing sponsorships.

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- 4.1.3 Use of resources or assets that could be used for private gain.
- 4.1.4 Entering into contracts to procure goods or services from the private sector; or engaging in projects with the private sector.
- 4.1.5 Collecting, retaining, accessing or using confidential information.
- 4.1.6 Providing financial assistance and concessions.
- 4.1.7 Performing a regulatory role in relation to the monitoring of standards.
- 4.1.8 Disciplinary role.
- 4.1.9 Providing advice.

## 5.0 When Conflicts of Interest Arise

- 5.1 Primarily a conflict of interest will arise when there is a possibility or a perception that an employee could be influenced by a person (private) interest when carrying out their duties. For example:
  - 5.1.1 Financial interest of an employee (a financial interest of employee’s spouse or family may also be relevant).
  - 5.1.2 Personal bias in relation to a particular topic.
  - 5.1.3 Memberships of other organisations held by employee or affiliations with political, trade union or professional organisations.
  - 5.1.4 Personal or business relationships.

## 6.0 Responsibility of Employees

- 6.1 All employees of council must consider the public interest when carrying out the official duties and place this above their own private or personal interest. This is achieved by:
  - 6.1.1 Carrying out all official duties in accordance with council and legislative ethical principles as documented in council’s code of conduct.
  - 6.1.2 Assessing their own private and personal interest to identify any action, potential or perceived conflicts of interest.
  - 6.1.3 Identifying and declaring all conflict of interest.
  - 6.1.4 Avoiding all situations which may give rise to conflicts of interest.
  - 6.1.5 Managing all conflicts of interest in accordance with agreed management strategies, policies and procedures.
- 6.2 All levels of management will:
  - 6.2.1 Encourage a culture of disclosure within council.
  - 6.2.2 Regularly remind employees of their obligation to identify and declare conflicts of interest.
  - 6.2.3 Actively liaise with employees to resolve and manage conflicts of interest.
  - 6.2.4 Monitor their employees work to develop management strategies to minimise conflicts.
  - 6.2.5 Maintain confidentiality with regards to conflict of interest declarations.
- 6.3 All reported conflicts of interest must be recorded in the Conflict of Interest Register maintained by Governance.

## 7.0 Definitions

- 7.1 **CEO** refers to Chief Executive Officer.
- 7.2 **Council** refers to Central Highlands Regional Council.

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7.3 **The Act** shall mean the *Local Government Act 2009* (as amended).

7.4 **Employees** refers to members to staff who are employed on a permanent, part time, fixed term or casual basis under award and enterprise bargaining agreement conditions. It also includes managers, contracted staff and volunteers.

<b>Strategic Link</b>	<a href="#">Section 13, Local Government Act 2009</a> <a href="#">Section 4, Public Sector Ethics Act 1994</a> <a href="#">Section 4, Crime and Misconduct Act 2001</a>
<b>Category</b>	Organisational Fraud and Corruption
<b>Lead Business Unit</b>	Governance
<b>Public Consultation</b>	<b>No</b>
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<b>Record Keeping</b>	ECM, Vine and Council Website
<b>Related Documents</b>	Conflict of Interest Procedure Conflict of Interest Register

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