

# Conflict of Interest Policy

## Policy Position

You must perform your duties with integrity and impartiality, consistent with the [Public Administration Act 2004](#) (the Act) and the [Code of conduct for Victorian Public Sector employees](#) (the code).

In doing so, you must place the public interest above your private interests.

A private interest can be financial or non-financial. It can be direct or indirect.

Private Interests include:

- |  |                                 |
|--|---------------------------------|
| a) Personal relationships                                  | e) Duty to another organisation |
| b) Consensual personal relationships between our employees | f) Loyalties and biases         |
| c) Declarable associations                                 | g) Affiliations                 |
| d) Activities you are involved in                          | h) Financial interests          |
|  | i) Outside employment           |

## Key actions

You must avoid conflicts of interest where possible. But it is common for them to arise.

If you have a conflict of interest (actual, potential or perceived) you must:

- identify it
- declare it on the form we provide
- make your declaration as soon as practicable, usually within 5 working days

If you are unsure whether a conflict exists:

- consider the information we provide below in this policy
- discuss the matter with your manager or Corporation Secretary

In certain circumstances, you must also complete the form as a precaution, even if no conflict of interest exists. For example,

- |                                     |  |
|-------------------------------------|--|
| • Consensual personal relationships | • Recruitment and selection panel        |
| • Declarable association            | • Outside Employment                     |
| • Procurement Panel & tendering     | • Political candidates or office bearers |
|                                     | • Billing                                |

See further information in section 8 below.

This helps to strengthen our culture of integrity. It provides a record that due consideration has been given to the matter.

Level 1 and Level 2 Financial Delegate must complete an Annual Declaration of Private Interests.

If you declare a conflict of interest you and your manager must develop, record and implement a conflict of interest management plan to manage the conflict.

## Contents

Contents .....	1
1. Purpose and scope .....	2
2. Key things you must do .....	2
3. Definitions .....	3
4. Examples of private interests.....	4
5. Examples of conflicts of interest.....	7
6. Identify the conflict.....	12
7. Useful questions to ask – identifying conflicts.....	13
8. Declare the conflict.....	14
9. Follow the approved management plan .....	17
10. What the plan will contain.....	18
11. Key risk mitigation strategies .....	19
12. Annual declaration of private interests (DOPI).....	21
13. Alleged breach of this policy .....	22
14. Speak Up .....	23
15. More information and advice .....	24
16. Administration of this policy .....	25

# 1. Purpose and scope

When we perform our public duties, it's vital that our decision-making is impartial, including fair and apolitical. This helps to maintain the public's trust in our organisation and prevent corruption.

## Who this policy applies to

This policy sets out how our organisation deals with conflicts of interest. It applies to and is binding upon:

- employees of our organisation
- contractors, consultants and labour hire employees whose contract requires them to comply with this policy
- other workplace participants such as customer committee representatives

For ease of reading, in this policy we use the term 'employee' to cover anyone the policy applies to, as set out above, regardless of their employment or engagement status.

## Separate policy applies to board members

This policy does not apply to directors (board members). This is because, whilst based on similar principles, the requirements for employees and board members differ. A separate policy exists for board members.

# 2. Key things you must do

You must perform your duties with integrity and impartiality, consistent with the [Public Administration Act 2004](#) (the Act) and the [Code of conduct for Victorian Public Sector employees](#) (the code).

In doing so, you must place the public interest above your private interests.

## Employees

You must avoid conflicts of interest where possible.

But sometimes a conflict cannot be avoided.

If a conflict exists, you must:

1. Identify it.
2. Declare it in writing to your manager.

3. Follow the approved conflict of interest management plan, which your manager will develop in consultation with you. (You may be asked to prepare the initial draft.)
4. Notify your manager of any changes that may affect the plan or its risk level.
5. If in doubt, seek advice from your manager.

## Managers

If you are a manager with direct reports, you should also:

- be aware of the conflict of interest risks inherent in your direct reports' roles
- develop and oversee their conflict of interest management plans (if any)
- promote awareness and provide advice about this policy
- model good practice.

## Audit, Risk and Governance Committee

The Audit, Risk and Governance Committee will ensure it receives a report at least annually on the organisation's conflict of interest processes and their effectiveness.

## 3. Definitions

We use these definitions in this policy:

### Conflict of interest

A conflict of interest exists if you have a private interest that could influence, or reasonably be seen to influence, how you perform your public duties.

A conflict of interest can be:

- **Actual** – there is a conflict between your private interests and your public duties
- **Potential** – you have a private interest that could foreseeably conflict with your public duties in the future
- **Perceived** - it is reasonable for people to believe that your private interests could influence your public duties, now or in the future.

### Conflict of duty

A conflict of duty (sometimes called a conflict of role) is a type of conflict of interest. It is a conflict between your public duties and your duty to another organisation or group.

## Private interest

A private interest can be financial or non-financial. It can be direct or indirect.

- **Direct** – your own interests.
- **Indirect** – the interests of another person or group that you:
  - are or were recently closely associated with, or
  - have an enduring (ongoing) interest in.

## 4. Examples of private interests

We all have private interests. Below are some examples.

For ease of reading, they're grouped under 4 loose headings.

But in practice they often overlap.

Like all private interests, they only need to be declared if:

- they are a conflict of interest (could influence, or reasonably be seen to influence, how you perform your work duties), or
- our organisation's policy specifically requires you to do so for any other reason.

---

## Relationships

### a) Personal relationships

Personal relationships are private interests. For example:

- family, friend, household member
- professional, business
- rival, enemy.

### Personal relationships that link to our organisation

Personal relationships can sometimes link to our organisation.

#### Examples

- a family member who also works in our organisation
- a family member who applies for a tender with our organisation

- an enemy who may be affected by a decision of our organisation.

If a personal relationship (or other private interest) links to our organisation, there may be a higher risk of conflict of interest – particularly if it intersects with your work duties. For details see [‘Examples of conflict of interest’](#).

## **b) Consensual personal relationships between our employees**

A consensual personal relationship is a sexual, intimate and/or romantic relationship between consenting adults of any sex or gender identity who are employees of our organisation. The relationship:

- may be on a casual, periodic or regular basis
- may or may not constitute a primary relationship
- also includes having a spouse or de facto partner who works in our organisation.

Certain requirements apply. Follow the [guidance issued by the Victorian Public Sector Commission \(VPSC\)](#).

## **c) Declarable associations**

A declarable association is a private interest.

It applies to a current or recent association with a person, group or organisation that you are aware or should reasonably suspect of being engaged in serious unlawful activity, now or in the past. It is declarable if a conflict of interest exists (actual, potential or perceived).

Certain requirements apply. Follow the [guidance issued by the VPSC](#).

---

# **Activities**

## **d) Activities you are involved in**

Private interests include activities you participate in, support or otherwise have an interest in, such as hobbies, cultural, sporting, community, social or other activities.

### **Example – sporting club**

You have a private interest in a sporting club if, for example:

- you’re an avid fan
- you play for one of its teams
- your children play for one of its teams, and/or
- you volunteer at the club.

---

## Duties and influences

### e) Duty to another organisation or group

A duty to another organisation or group in the public or private sector is a private interest. For example, a role held with that organisation.

#### Example

Being a committee member.

#### General guidance

The VPSC offers general [guidance on duties, loyalties and biases](#).

### f) Loyalties and biases

Loyalties and biases are a private interest.

#### Example – previous employer

An ongoing loyalty to or bias against a previous employer is a private interest.

#### Example – volunteer

Loyalty to an organisation where you volunteer is a private interest.

#### Example – former registered lobbyists and government affairs directors

Being a former registered lobbyist or former government affairs director is a private interest. Follow the [guidance issued by the VPSC on this topic](#).

#### General guidance

The VPSC offers general [guidance on duties, loyalties and biases](#).

### g) Affiliations

Your affiliations are a private interest.

Like all members of the community, you are entitled to have private interests.

In and of themselves, they are not a conflict of interest.

They will only become a conflict of interest if it is reasonable for people to believe that your private interest could influence how you perform your public duties.

For example, if it is reasonable for people to believe that you may not perform your job in an impartial and apolitical manner.

Some examples of affiliations are:

#### Example – political affiliations

Your political affiliations, such as:

- being an official office bearer in a political party, or
- standing for election to state or local government.

**Example – sporting club affiliations**

Your sporting club affiliations, such as being president or another official.

**Guidance**

The VPSC offers general [guidance on duties, loyalties and biases](#).

---

## Financial

### h) Financial interests

A financial interest is a private interest. It includes existing, potential or future:

- financial holdings and investments
- financial gain
- financial loss.

**Example**

Ownership of real estate or shares is a private interest, including the potential for financial loss or gain relating to those investments.

### i) Outside employment

Outside employment is a private interest.

Before engaging in other paid employment or any business, trade or profession, ensure you comply with our organisation's Outside Employment corporate instruction.

Check with your manager whether approval is required.

**Volunteer work**

If you intend to undertake volunteer work check whether it raises a conflict of interest. If so, it must be declared. If unsure, discuss with your manager.

## 5. Examples of conflicts of interest

The risk of having a conflict of interest depends on a mix of factors such as:

- our organisation's functions



- your work role
- the operating environment
- your private interests.

## **Example 1 – Grants program for sporting clubs**

The organisation you work for is making decisions about which sporting clubs will receive a grant under a new grants program.

You have a private interest in your local sporting club, which is applying for one of the grants.

Your private interest is that you are an avid supporter of the club and it is where your children play.

### **If your work is unrelated**

If your job is unrelated, for example you work in the transport and logistics area of your organisation, your private interest in the sporting club will not be a conflict of interest. It does not need to be declared.

This is because your work duties do not include making or influencing decisions about the grants program.

### **If your work duties relate to the grants program**

If your work duties involve making or approving any decisions about the grants program, you have a conflict of interest that must be declared.

Even if you are certain that you will not be influenced in your decision-making, there is a perceived conflict of interest.

This is because it is reasonable for people to believe that your private interest may influence your impartiality in your decision making.

A plan will be developed to manage the conflict proportionate to the risk.

### **Possible management plan**

A suitable management plan could be for you to be removed from taking part in or being present for any discussion or decision-making about the grants program or its approval process.

This includes not taking part in any discussion or decisions about applications by other clubs. (There is a limited pool of funds. What other applicants receive may affect your club's chances.)

## **Example 2 – Assessing tenders where a family member is bidding**

A family member is bidding to supply services to the public sector organisation you work for. Your relationship with your family member is a private interest.

### **If your work is unrelated**

If you work in another part of the organisation and have no connection to or influence over the tender process, you do not have a conflict of interest.

### **If your work duties relate to the tender**

If you are part of the decision-making process for the tender or you have influence over it, you have a conflict of interest that must be declared.

Even if you are certain that you will not be influenced in your decision-making, there is a perceived conflict of interest.

This is because it is reasonable for people to believe that your private interest may influence your impartiality in your decision making.

A plan will be developed to manage the conflict proportionate to risk.

### **Possible management plan**

A suitable management plan could be for you to be removed from taking part in or being present for any discussion or decision-making in relation to this tender or the approval process for it.

## **Example 3 – Recruitment and selection panel**

Sam is asked to be on a recruitment and selection panel. The panel will be selecting the recommended choice for a policy officer job in the team that Sam is a member of.

The organisation's policy is to require that, as a precautionary measure, all members of the panel complete a conflict of interest declaration form, even if they do not have a conflict of interest.

This provides a written record that the question of conflict of interest has been considered by each member of the panel and the result. It occurs prior to the shortlisting process.

When all the applications have been received, they include:

- an application from a member of the team that Sam works in
- an application from the former spouse of Jo, who is another panel member.

Both Sam and Jo set out their conflicts of interest on their declaration form. The other panel member, May, who is the chair of the panel, records on her own declaration form that she does not have a conflict.

### **Sam – possible management plan**

The chair of the panel will decide on a suitable conflict of interest management plan in consultation with Sam.

The discussion between the chair and Sam about a suitable management plan concludes that Sam has a perceived conflict of interest that is low risk.

A suitable plan could be for the chair to:

- record the conflict
- advise the other panel member
- monitor that the risk level does not rise, and
- in conjunction with the other panel member, support impartial decision-making by Sam.

### **Jo – possible management plan**

Jo has a conflict of interest that is higher risk. The discussion between the chair and Jo about a suitable management plan revealed that Jo has an acrimonious relationship with their former spouse who is an applicant for the job.

In this case, a suitable plan is likely to be for Jo not to take part in the recruitment process in any way. A new panel member will need to be appointed instead.

This needs to occur prior to the panel commencing their review of the applications and shortlisting who will be interviewed.

## **Example 4 – Political affiliations or duties**

Bronte supports a micro party that campaigns for the removal of all toxic materials from residential areas. Campaigning is about to commence for the upcoming state election.

Bronte intends to hand out leaflets at polling booths.

When campaigning, Bronte must comply with the conflict of interest obligations in the [employee code of conduct](#) and her employer's conflict of interest policy.

She must also comply with the related obligations on public comment. For more information see the [VPSC Guide for employees during election periods](#).

## Scenario – Handing out leaflets

The leaflets that Bronte will be handing out are critical of the government's policy on managing toxic sites.

### Unrelated

If the topic is unrelated to Bronte's work duties – for example, Bronte is a public sector accountant – she does not need to lodge a conflict of interest declaration form because a conflict is unlikely to arise.

### Related to work duties

The closer that Bronte's private interest in removing toxic materials from residential areas intersects with her work duties, the more likely that a conflict of interest exists (actual, potential or perceived), and the stronger the conflict is likely to be.

For example, if Bronte's work duties include conducting research that will be taken into account when developing policy on toxic waste, this will be a strong conflict of interest.

If a conflict of interest exists (actual, potential or perceived), Bronte must lodge a conflict of interest declaration form with her manager.

A plan will be developed to manage the conflict proportionate to the risk. (For strategies for managing a conflict of interest see [item 11 of this policy](#).)

To assist Bronte, the plan should also refer to her public comment obligations under [item 3.5 of the code](#) and any relevant policy of the organisation. For example, a social media policy may exist.

## Scenario – Duties as an office bearer

Bronte is appointed as a party office bearer. Even if Bronte works in an unrelated area as an accountant, the risk of a conflict of interest will be heightened. This is because people will be more likely to question whether Bronte will be apolitical when performing her public sector duties.

As a precaution, Bronte must lodge / update a conflict of interest declaration with her manager to:

- confirm no conflict of interest exists, or
- declare a conflict exists (actual, potential or perceived).

Bronte's manager will consult with her to develop a plan to manage any conflict of interest proportionate to the risk. (For strategies for managing a conflict of interest see [item 11 of this policy](#).)

To assist Bronte, the plan should also refer to her public comment obligations under [item 3.5 of the code](#) and any relevant policy of the organisation. For example, a social media policy may exist.

### Identify the conflict

Many people have conflicts of interest during the course of their employment. Having a conflict is not in itself a sign of wrongdoing.

Part of supporting a culture of integrity is for our organisation to support you to raise any conflicts of interest you may have.

If you have a conflict of interest and do not declare it, this could cause issues about whether you are performing your job properly, with fairness and impartiality.

## Key actions

You must avoid conflicts of interest where possible. But it is common for them to arise.

If you have a conflict of interest you must:

- identify it
- declare it on the form we provide
- make your declaration as soon as practicable, usually within 5 working days

If you are unsure whether a conflict exists:

- consider the information we provide below
- discuss the matter with your manager or Corporation Secretary

## What will happen

When you declare a conflict of interest, our organisation will develop a plan to manage the conflict in the public interest.

Having a conflict of interest does not automatically exclude you from undertaking work duties such as making certain decisions.

The plan that is developed will be proportionate to the risk level posed by the conflict of interest.

## Check for conflicts

Check regularly for conflicts of interest. They're most likely to occur in areas where you:

- have the power to make or influence decisions that can benefit others, or

- have private interests that may conflict with your work duties.

But they can also occur in low risk areas.

## High risk areas

The VPSC offers a list of [typical high risk areas for conflict of interest](#). This information can help you to pinpoint your own areas of high risk. It looks at risk factors and examples relating to:

- work duties and organisational functions – such as allocating grants of public funds
- the operating environment – such as working alone, in an isolated community, or with vulnerable stakeholders
- private interests – such as consensual personal relationships.

## 6. Useful questions to ask – identifying conflicts

To help identify a conflict of interest, some useful questions are:

- Does my private interest intersect with my role? If so, could this create a perception of bias or favouritism in the exercise of my duties?
- What would a fair-minded member of the public make of the situation?
- Could my involvement in this matter cast doubt on my integrity or that of the organisation?
- If I saw someone else in this situation, would I think they have a conflict of interest?
- If my actions were covered by the media, could it embarrass me or the organisation?
- In other words, does it pass the public perception test (the 'pub test')?

## 7. Declare the conflict

### Key action

If you have a conflict of interest, you must declare it on our Conflict of interest – Declaration and Management Plan form.

In certain circumstances, you must also complete the form as a precaution, even if no conflict of interest exists. It provides a record that due consideration has been given to the matter. For example, see recruitment and selection panels, below.

This helps to strengthen our culture of integrity.

### When to complete the form

You must make a declaration on our Conflict of interest – Declaration and Management Plan form in these circumstances:

#### **a) Declare – Conflict of interest has been identified**

If you identify that you have a conflict of interest (actual, potential or perceived) you must always declare it.

For more information see the definitions ([item 3](#)) and examples ([item 5](#)) in this policy.

#### **b) Declare – Consensual personal relationship**

If you are in a consensual personal relationship with another employee of our organisation, you must declare it if:

- a direct hierarchical relationship exists, or
- no direct hierarchical relationship exists but a conflict of interest arises.

##### **Direct hierarchical relationship**

A direct hierarchical relationship is where the employees involved are:

- at different levels of seniority in the organisation, and
- in the same direct reporting line.

For more information, see and follow the [VPSC guidance on this topic](#).

#### **c) Declare – Declarable association**

You must complete the form if you have a declarable association.

A declarable association is a current or recent association with a person, group or organisation that you are aware or should reasonably suspect of being engaged in serious unlawful activity, now or in the past. It is declarable if a conflict of interest exists (actual, potential or perceived).

For more information, see and follow the [VPSC guidance on this topic](#).

#### **d) Declare – Procurement panel, tendering or contract management**

If you are on a procurement panel or part of any other procurement, tendering or contract management activity, including procuring from a panel arrangement or you are part of approving any such activities or decisions, you must complete the form if:

- you have a conflict of interest, or
- our Procurement policy, Capital Planning and Delivery Framework, or Procurement Panel governance rules requires you to do so for any other reason – for example, to confirm you do not have a conflict.

This applies to all employees, not just decision makers and financial delegates.

For details see our Financial Governance Policy, Capital Planning and Delivery Framework (Tender Criteria and Assessment Guidelines) and Procurement Panel governance rules.

#### **e) Declare – Recruitment and selection panel**

If you are on a recruitment and selection panel, or part of approving its decisions, you must always complete the form to:

- declare a conflict of interest, or
- confirm you do not have a conflict.

#### **f) Declare – Outside employment**

Engaging in employment outside our organisation is a private interest – one that can sometimes give rise to a conflict of interest.

##### **Check before engaging in outside employment**

Before engaging in outside employment, ensure you comply with our organisation's Outside Employment Corporate Instruction.

You may need approval to engage in other paid employment or carry on any business, profession or trade. Check with your manager about approval requirements.

Before engaging in outside employment you must always complete the form to:

- declare a conflict of interest, or
- confirm you do not have a conflict.



**When engaged in outside employment**

If you are engaged in outside employment and a conflict later arises at any time, you must declare it.

**Volunteering**

Note: if a conflict of interest arises in relation to voluntary work, declare it under the general heading above of '[a\) Conflict of interest has been identified](#)'

**g) Declare – Political candidates and office bearers****Being an official office bearer in a political party**

If you hold an official office in a political party you must always complete the form to:

- declare a conflict of interest, or
- confirm you do not have a conflict.

**Standing for election – state or local government**

If you are standing as a candidate in a state or local government election, discuss with your manager whether a conflict of interest exists.

You must always complete the form to:

- declare a conflict of interest, or
- confirm you do not have a conflict.

For more information, see and follow the [VPSC's Guide for employees during election periods](#). The guide also has important information about standing for federal election.

**h) Declare – Billing activities**

If you are approving customer/debt write offs, refunds or approval you must always:

- declare a conflict of interest, or
- confirm you do not have a conflict.

**i) Declare – DOPI form has identified a conflict**

Certain employees, such as executives and some financial delegates, submit an annual declaration of their private interests (DOPI). For details see [item 12 of this policy](#).

If a conflict of interest is identified during the DOPI process, it must then be declared on the Conflict of interest – Declaration and Management Plan form.

**j) Declare – Directed by your manager**

You must complete the Conflict of interest – Declaration and Management Plan form if your manager directs you to do so for any other reason.

For example, as a precaution due to the high risk of a conflict of interest inherent in a work task or a private interest.

## 8. Follow the approved management plan

If you declare a conflict of interest on our organisation's Conflict of interest – Declaration and Management Plan form, your manager will:

- develop a conflict of interest management plan in consultation with you
- record it on the form.

### Key action

You must:

- participate in the development of the conflict of interest management plan to the extent set by your manager
- follow the plan with oversight from your manager
- notify your manager in writing within 5 working days of any changes that may affect the plan or its risk level.

### Consultation and drafting of plan

Your manager decides the contents of the plan. They consult you when doing so. The plan is recorded on the Conflict of interest – Declaration and Management Plan form.

As part of the consultation process, sometimes your manager may ask you to collaborate with them on the development of the plan. This may include asking you to develop an initial draft of the plan.

### More information

The VPSC offers a guide for managers on [how to develop a conflict of interest management plan](#).

### Official record

After your manager finalises and approves the management plan:

- you both keep a copy
- your manager files a copy with the Corporation Secretary as the official record of the plan. The form is stored in a restricted folder on our organisation's content management system.

## Review of the plan

Your manager will review the plan in consultation with you:

- at the times set out in the plan
- if any change occurs that may affect the plan or its risk level.

You must advise your manager of any such change you are aware of.

## 9. What the plan will contain

A conflict of interest management plan is a risk mitigation strategy. It balances the nature and seriousness of the conflict with the public benefit of you being involved in the matter.

The plan is usually based on the key risk mitigation strategies in [item 11 of this policy](#) or a combination of them. The approach taken will be proportionate to the risk.

### Choosing a strategy proportionate to the risk level

When developing a conflict of interest management plan, some useful questions to help identify which key risk mitigation strategy ([item 11 of this policy](#)) is proportionate to the risk level include:

- Authority and influence – To what extent is the employee involved in the activity or the decision which the conflict relates to? What influence do they have in decision-making?
- Work responsibilities – What work responsibilities of the employee could be influenced or affected by the conflict?
- Private interest – If a private interest is involved, what is the conflicted interest? What stake does the employee have in this private interest?
- Nature and severity of the conflict – What is the nature and severity of the conflict?
- Duration – How often will the conflict arise in the employee's work duties and for how long? For example, regularly, for the duration of a particular project, short term, long term or ongoing? This question will also help to determine how often to review the plan.
- Consequences – What are the possible effects if the conflict is not suitably managed?
- Public perception – What would a fair-minded member of the public think of the situation? Would they think the proposed risk mitigation strategy alleviates any doubts about the integrity of the employee or the organisation?

## 10. Key risk mitigation strategies

The management plan for a conflict of interest will usually be based on one of the following risk mitigation strategies, or a suitable combination of these '5 Rs'.

The approach taken will be proportionate to the risk.

These strategies are listed from lowest to highest response level.

### Record and monitor

The conflict is officially recorded. Relevant managers and employees are made aware on a 'need to know' basis.

Ongoing monitoring occurs. If the risk level rises, additional strategies are implemented, such as restrict or remove.

#### Example

A member of a recruitment and selection panel has a perceived conflict of interest that is low risk and suitable to record and monitor. Other panel members are advised. They monitor the risk level and support impartial decision-making.

### Restrict

Some restrictions are placed on your involvement in the conflicted matter. For example, the management plan could:

- allow you to take part in certain discussions
- forbid you from taking part in certain or all decisions and from being present when they are made.

### Remove

The management plan removes you from any involvement at all in the conflicted matter. You must not take part in or be present for:

- any discussion
- any decision.

### Recruit

An independent, impartial third party oversees part or all of the conflicted matter. This person can be internal or external to the organisation, but not a subordinate.

For example, the role could include:

- provide probity advice
- assist with risk mitigation
- oversee the project – this includes actively overseeing any participation you have in it.

Depending on the circumstances, this strategy could stand alone or be combined with another strategy such as restrict or remove.

## Relinquish or resolve

Sometimes, a conflict of interest cannot be managed as set out above.

In such cases, you will need to relinquish your private interest, unless the organisation can resolve the matter another way.

This is because it is not in the public interest for an unmanageable conflict to continue to exist.

As an employee, you must be able to:

- perform the duties of your role as required, to the required standard
- comply with your employment obligations, including the code and your employer's policies.

If you can't or won't relinquish the conflicting interest, the organisation will resolve the matter.

It will do so consistent with the [public sector employment principles and standards](#) and any applicable employment contract, agreement or law.

## How the situation will sometimes be resolved

Sometimes the situation can be resolved by the organisation on the basis that you:

- take leave, or
- perform modified duties or another role.

But this will not always be the case. For example, due to:

- the organisation's staffing needs or capacity, or
- the duration of the conflict.

In such cases, the employment relationship may need to terminate if you remain unwilling or unable to relinquish your conflicting interest.

## **11. Annual declaration of private interests (DOPI)**

Additional requirements apply to some employees.

Employees in certain roles must complete an annual Declaration of Private Interests form. Commonly known as a DOPI.

This means they must list certain private interests on a DOPI form – for example, real estate.

### **Who must complete a DOPI**

Employees in the following roles must complete a DOPI:

- executive officers, including acting executive officers receiving higher duties
- employees with a Level 1 or Level 2 financial delegation.
- employees directed to do so by their manager – for example, if there is a high risk of conflict of interest inherent in a work duty and/or a private interest the employee has.

### **Annual and other DOPIs**

Employees in the above roles must complete a DOPI:

- upon appointment to their position
- annually after appointment
- if their interests that must be listed on the form change, within 5 working days.

### **What happens if a DOPI reveals a conflict**

If a conflict of interest is identified in a DOPI by an employee or their manager:

- the manager notes this on the DOPI
- the employee and manager complete the usual Conflict of interest – Declaration and Management Plan form
- the conflict is managed in the usual manner set out in this policy in items 8 - 11.

### **DOPI is an additional requirement**

The requirement for certain employees to complete a DOPI is an additional requirement to the other requirements in this policy.

### Example

An executive officer completes their annual DOPI. A couple of months later they are appointed to a recruitment and selection panel.

As a separate requirement, they complete a Conflict of interest – Declaration and Management Plan form for the task of being on the recruitment and selection panel.

## 12. Alleged breach of this policy

Our organisation will respond to alleged breaches of this policy consistent with the Act, the code, Staff Behaviour policy, this policy and any other obligations that apply.

A finding of misconduct may amount to a breach of the [code of conduct](#). Serious misconduct can result in termination of employment.

Contractors may be subject to contract renegotiation or termination.

If a criminal offence may have occurred, the Victorian or Federal Police may investigate and prosecute.

## 13. Speak Up

It will help to build our organisation's culture of integrity if you 'speak up' about conflicts of interest. For example, if you believe there may be a conflict of interest affecting our organisation that:

- has not been declared, or
- is not being properly managed.

We encourage you to speak up if you believe that a breach of this policy:

- has happened
- is happening
- might be about to happen.

You can speak up by notifying your manager or Corporation Secretary

### IBAC and the Victorian Ombudsman

Alternatively, if you believe corrupt or improper conduct is occurring, you can make a complaint directly to the [Independent Broad-based Anti-corruption Commission \(IBAC\)](#) or the [Victorian Ombudsman](#). Sometimes this can occur on a whistle-blower basis as a [public interest disclosure](#).

In certain circumstances, our organisation will also report matters to IBAC.

### How our organisation will respond

Consistent with a culture of integrity, our organisation will:

- actively support and protect employees who speak up in good faith
- take decisive action, including possible disciplinary action, against anyone who discriminates against or victimises an employee who speaks up in good faith
- respond in a constructive manner to the information provided.



## 14. More information and advice

More advice and information are available:

### Advice

Conflicts of interest are not always clear to those who have them. If you are unsure about a possible conflict of interest or the application of this policy, seek advice from your manager or Corporation Secretary

### Guidance

Available guidance includes:

- the VPSC's [guidance on conflict of interest](#)
- [IBAC's guidance material](#) (available in easy English and several languages) and [IBAC's e-learning module](#) on understanding and managing conflicts of interest.

## 15. Administration of this policy

### How we treat information and administer this policy

Our organisation will treat information and administer this policy in accordance with all relevant laws and other obligations, such as:

- the [Privacy and Data Protection Act 2014](#) (Vic)
- the [Public Records Act 1973](#) (Vic)
- the [Charter of Human Rights and Responsibilities Act](#) 2006 (Vic).

The Conflict of interest – Declaration and Management Plan form and the DOPI form both have collection notices.

---

## Related documents

### Forms

- Conflict of interest – Declaration and Management Plan
- Declaration of Private Interests (DOPI)

### Policies

- Conflict of interest policy (employees) (this policy)
- Gifts, benefits and hospitality policy (employees)
- Outside employment corporate instruction
- Financial Governance Policy
- Recruitment and selection guidance
- There is also a Board Governance Policy that contains Conflict of interest provisions for directors (board members) plus [VPSC guidance for board members](#).

### Act, Code and Standards

- The Water Act 1989
  - Code of conduct for Victorian public sector employees
  - [Employment standards](#) which are issued by the VPSC
  - [Public Administration Act 2004](#).
- 

## Authorisation and updating

This policy is subject to review every three years.

It was last reviewed on 2 December 2025.

This policy is issued under the authority of the Board