



# Woorabinda Aboriginal Shire Council

Document Name	Conflicts of Interest (Staff) Guideline		
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<b>NOTE:</b> Council regularly reviews and updates its policies and procedures. The latest controlled version can be obtained from the Policy Register by contacting Council.			

## 1. INTRODUCTION & OBJECTIVE

This guideline is to assist all employees (including contract, temporary and labour hire) in identifying and managing conflicts of interest to support ethical decision making and Council's commitment to conducting business and delivering services with integrity, transparency and in an impartial manner.

## 2. WHAT IS A CONFLICT OF INTEREST

A conflict of interest occurs when your (or that of your close relatives) private interests interfere, appear to and/or are perceived to interfere, with your decision making and duty to put the public interest first.

Individuals make up the organisation and, regardless of their level, each person has a responsibility to follow organisational policy, procedural and guideline requirements established to manage conflicts of interest. Employees and managers alike are also responsible for monitoring their own interests and the possibility that such interests may conflict with their public duty.

As an Individual public official, you must:

- be aware of potential conflicts of interest that might affect them
- avoid where possible any obvious conflicts that they encounter
- promptly identify and disclose any actual or potential conflicts of interest that might affect (or might be perceived to affect) the proper performance of your work.

**There are three types of conflicts:**

TERM	DEFINITION
Actual	involves a direct conflict between a person/employee's current duties and responsibilities and their existing private interest
Perceived	where it could be perceived, or appears, that a person/employee's private interests could improperly influence the performance of their public duties – whether or not this is in fact the case
Potential	arises where a person/employee has private interests that could interfere with their official duties in the future.

## Everyone's responsibility

It is a requirement that everyone is aware of, and manages, their conflicts of interests (*Local Government Act 2009* & Council's Staff Code of Conduct).

Intentional non-compliance may result in disciplinary action being taken in accordance with Council's policies and procedures.

### Chief Executive Officer

The Chief Executive Officer, or delegate, must:

- maintain a register of disclosed conflicts for Council employees;
- ensure policy and guidelines are enforced;
- provide training and awareness for employees on conflict of interest issues; and
- arrange investigations of possible conflicts of interest.

### All levels of Management (including supervisors)

Managers and supervisors have a role as organisational leaders in implementing and giving effect to the policies developed by the organisation on a day-to-day basis. They are also in a position to demonstrate how conflicts of interest protocols should operate by setting an example when their own conflicts arise.

### All Employees

Employees are responsible for adhering to the requirements of this Guideline and supporting procedure, being aware and assessing their own conflicts of interest, promptly identifying, and disclosing conflicts of interest and managing declared conflicts of interest.

### Recordkeeping

Conflict of Interest are to be made on Staff Conflict of Interest Form, see Reference Documents below.

All reported conflicts of interest must be recorded in the Conflict-of-Interest Register maintained by the Governance Manager and stored according to Council's records management policy and procedures.

## 3. REFERENCE & ASSOCIATED DOCUMENTS

REFERENCE DOCUMENTS
<i>Local Government Act 2009</i>
<i>Local Government Regulation 2012</i>
ASSOCIATED DOCUMENTS
WASC Council Conflict of Interest Declaration Form
WASC Conflict of Interest (Staff) Policy
WASC Code of Conduct (Staff)
WASC Disciplinary Procedure

## 4. CHECKLIST – IDENTIFYING A CONFLICT OF INTEREST



Could any of the following private interests be a potential conflict of interest risk that could (or be perceived by others) affect your position:

Any financial and economic interests (e.g., asset ownership, shares)	Affiliations with for-profit and non-profit organisations, sporting bodies, clubs, and associations
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Secondary employment	Significant family or other relationship with clients, contractors or other staff working in the same (or related) organisation
Affiliations with political, trade union or professional organisations and other personal capacity interests	Memberships (e.g., political, professional, sporting, social or cultural organisations)

### Identifying a situation:

Would I or anyone associated with me benefit from or be detrimentally affected by my proposed decision or action?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Could there be benefits for me in the future that could cast doubt on my objectivity?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do I have a current or previous personal, professional, or financial relationship or association of any significance with an interested party?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Would my reputation or that of a relative, friend or associate stand to be enhanced or damaged because of the proposed decision or action?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do I or a relative, friend or associate of theirs stand to gain or lose financially in some covert or unexpected way?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have I contributed in a private capacity in any way to the matter that Council is dealing with?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have I made any promises or commitments in relation to the matter?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have I received a benefit or hospitality from someone who stands to gain or lose from my proposed decision or action?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Could this situation have an influence on any future employment opportunities outside my current official duties?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Could there be any other benefits or factors that could cast doubts on my objectivity?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do I still have any doubts about my proposed decision or action?	<input type="checkbox"/> Yes <input type="checkbox"/> No

REPORT	
RECORD	
REVIEW	

If you identify a conflict of interest (actual, potential or perceived), record the details on the **Conflict of Interest (Staff) Form** and submit to your Manager/Supervisor and the Governance Manager. You can ask for their support in completing the Form and understanding your responsibilities. Your Manager, Governance Manager and the CEO will review your conflict of interest and advise of the most appropriate action.