

# Policy



## ORGANISATIONAL

# CONFLICT OF INTEREST

## Head of Power

*Local Government Act 2009*

### Key Supporting Council Document

Lockyer Valley Regional Council Corporate Plan (2017-2022):

- 5.4 Commit to open and accountable governance to ensure community confidence and trust in council and our democratic values.

## Definitions

Actual conflict of interest	A Council employee, right now, could be influenced by a private interest when exercising their official duties.
Conflict of interest	Involves a conflict between an employee's duties and responsibilities and the employee's private interests. A conflict of interest can arise from avoiding personal losses as well as gaining personal advantage – whether financial or otherwise.
Official duties	Is the work done by an employee that may be defined by their position description or directions given by their supervisor.
Perceived conflict of interest	A Council employee could appear to be influenced by a private interest when exercising their official duties (whether or not this is true)
Potential conflict of interest	A Council employee, in the future, could be influenced by a private interest when exercising their official duties. Employees are to be aware of these conflicts of interest and can inform their supervisor of these; however formal declarations are not required until the conflict is perceived or actual.
Private Interests	Are those personal, professional or business interests that can benefit or disadvantage an employee or others an employee may wish to benefit or disadvantage.

## Policy Objective

The objective of this policy is to ensure that staff are aware of their obligations and responsibilities in relation to the management of conflicts between their private interests and their official duties.

## Policy Statement

The correct identification, management and monitoring of conflicts of interests supports the principles of integrity, fairness, transparency and accountability in Council's decision-making processes which enhances public confidence in Council.

The community has a right to expect that Council employees at all levels perform their duties in a fair and unbiased way and that the decisions they make are not affected by self-interest, private affiliations or the likelihood that they, or those close to them, will financially gain or lose from a decision in which they participate.

The perception that a conflict of interest has influenced an outcome can undermine public confidence in the integrity of Council and the employee involved. Unresolved or badly managed conflicts of interests can lead to corruption or abuse of public office or the perception that these exist within Council.

This policy draws on the following values which underpin Council's conflict of interest framework:

- Protect the public interest
- Support transparency and accountability
- Promote individual responsibility
- Build a supportive organisational culture.

To achieve this, Council:

- have established a system for managing conflicts of interest in the form of a clear policy and process for all employees to follow
- is building an organisational culture that supports managers and employees in the implementation of this policy and process
- promotes and supports a positive approach to the management of perceived and actual conflict of interests
- provides training opportunities for employees to promote and raise awareness of their individual responsibility to identify, manage and monitor perceived and actual conflicts of interest
- appropriately and securely creates and stores all documentation pertaining to conflicts of interest
- maintains confidentiality in the management of any perceived or actual conflicts of interest
- ensures that any personal information collected, stored, used or disclosed pertaining to conflicts of interest is managed appropriately
- provides regular reports the Executive Leadership Team on any issues including but not limited to, breaches prior to referring to appropriate external agencies, where applicable.

There are three types of conflicts of interest that may be encountered by employees:

- Actual conflict of interest
- Perceived conflict of interest
- Potential conflict of interest.

Council employees are required to declare all conflicts of interest in accordance with this policy and the process outlined in the Conflict of Interest Framework Guideline.

## Related Documents

Employee Code of Conduct  
Conflict of Interest Framework Guideline  
Fraud and Corruption Control Plan  
Gifts, Benefits and Hospitality Policy  
Gifts, Benefits and Hospitality Procedure  
Public Interest Disclosure Policy and Procedure  
Disclosure of Personal Information Policy