



1 HEAD OF POWER

- *Local Government Act 2009 (Qld)*
- *Local Government Regulation 2012 (Qld)*
- *Public Sector Ethics Act 1994 (Qld)*
- *Crime and Corruption Act 2001 (Qld)*
- *Human Rights Act (2019) (Qld)*

2 POLICY PURPOSE

This policy guides and assists employees 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.

3 POLICY OBJECTIVE

The objects of this policy are to:

- ensure that when conflicts of interest arise, they are resolved in favour of the public interest over and above the interests of employees
- instil and maintain public confidence in Council and its employees through accountable and transparent processes
- ensure employees routinely apply the highest ethical standards to all decisions and actions so they are free from bias
- outline requirements for the maintenance of appropriate records regarding the management of conflicts of interest

4 POLICY SCOPE

The policy applies to all employees of Council to manage instances where their private or personal interests may be contrary to those of the organisation or have the capacity to conflict with the employee's duty to act in the public interest.

Conflicts of interest of Councillors are dealt with under the Local Government Act 2009 (Qld) and the Councillor Code of Conduct, and are not covered by this policy

5 POLICY STATEMENT

Council is committed to conducting business and delivering services in a fair, transparent, accountable and impartial manner.

All employees of council must consider the public interest when carrying out their official duties and place this above their own private or personal interests.

A conflict of interest exists where a reasonable and informed person would perceive that an employee could be influenced by a private interest when carrying out their public duty.

There are three types of Conflicts that can occur:

- actual, perceived and potential.

The perception of a conflict can be as damaging as an actual conflict, because it undermines public confidence in the integrity of Council and Employees.

Personal interests may be pecuniary or non-pecuniary:

- A pecuniary interest refers to an actual or potential financial gain or loss for the person, their family, friends, or close associates.
- A non-pecuniary interest refers to an interest that is not financial or monetary but arises from such things as personal relationships, beliefs, or involvement in social, cultural, religious, or sporting activities.

5.1 RESPONSIBILITIES

5.1.1 Chief Executive Officer (CEO)

The Chief Executive Officer, or delegate, must:

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

The Governance and Records Officer ensures the policy and procedures are current, oversees and enforces the policies and refers possible breaches to the Chief Executive Officer if required. (Appendix A)

5.1.2 All Levels of Management

Executive Managers, Managers and Supervisors are responsible for implementing this Policy, setting an example in the area of their own conflicts of interest and advising employees on appropriate ways to report and or manage their conflicts of interest.

All levels of management will:

- Encourage a culture of disclosure within Council;
- Regularly remind employees of their obligation to identify and declare conflicts of interest;
- Actively liaise with employees to resolve and manage conflicts of interest;
- Monitor their employee's work to develop management strategies to minimize conflicts; and
- Maintain confidentiality with regards to conflict of interest declarations.

5.1.3 All Employees

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

5.2 RECORDKEEPING

Conflict of Interest are to be made on the approved form, see Reference Documents below.

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

This policy does not replace the registers of interests kept under the Local Government Regulation 2012 (Qld). The Chief Executive Officer maintains the register of interests of senior executive employees, the Mayor maintains the register of interests of the Chief Executive Officer, and the Chief Executive Officer and each senior executive employee must give notice of an interest, or of a correction, within 30 days of becoming aware of it.

5.3 NON-COMPLIANCE

Non-compliance with the provisions of this policy may result in disciplinary action being taken in accordance with Council's policies and procedures.

6 HUMAN RIGHTS COMPATIBILITY STATEMENT

This policy has been assessed as compatible with Human Rights protected under *the Human Rights Act 2019*.

7 DEFINITIONS

Term	Definition
Council	Pormpuraaw Aboriginal Shire Council
Actual	involves a direct conflict between a person/employee's current duties and responsibilities and their existing private interest
Conflict of Interest	involves a conflict between the public duty and private interests in which an employee has private-capacity interests which could improperly influence the performance of their official duties and responsibilities
Employee/s	Refers to full time, part time, casual, permanent or temporary employees, including those under a contract or labour hire company that carry out work for council
LGA	Local Government Act 2009
LGR	Local Government Regulation 2012
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.

8 RELATED POLICS AND OTHER DOCUMENTS

- Code of Conduct for Staff

- Code of Conduct for Staff Summary
- Conflicts of Interest Form
- Performance, Misconduct and Discipline Policy

9 MONITORING AND REVIEW

Notwithstanding the above, this policy is to be reviewed every four (4) years for relevance and to ensure that its effectiveness is maintained.

10 RESPONSIBILITY

This Policy is to be implemented by the CEO; and reviewed and amended in accordance with the Governance and Records Officer

11 VERSION CONTROL

Version	Details	Resolution No	Date
v1	Developed and adopted	2026/193	19 October 2026

Appendix A – Conflicts of Interest Form

Pormpuraaw Aboriginal Shire Council is collecting personal information you supply on this form in accordance with the *Information Privacy Act 2009*. Your personal information will be accessed by Council Officers who have been authorised to do so. Your information will not be given to any other person or agency unless required by law or unless your permission is sought. Personal information is handled in accordance with the *Information Privacy Act 2009*.

Employee Name:	
Employee's Position:	
Manager:	
Supervisor (if applicable):	

CONFLICT OF INTEREST

The conflict of interest has been identified as: (Please select one of the following in relation to the Employee Conflict of Interest Checklist)

☐ Actual

☐ Perceived

☐ Potential

Describe the personal or private interests that may be contrary to those of the organisation or have the capacity to conflict with your official duties impartially and in the public interest:

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SECONDARY EMPLOYMENT (proceed to employee declaration if not applicable)

Name of secondary employer:	
Position description and/or duties performed:	
Length of employment/Days & hours expected to work	
Does this employment involve a conflict of interest:	YES / NO

AGREED MANAGEMENT PLAN OF THE CONFLICT OF INTEREST (Completed in conjunction with Manager)

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EMPLOYEE DECLARATION

I declare that the details of my interests are correct to the best of my knowledge and am aware of my responsibilities to take reasonable steps to avoid any real or apparent conflict of interest in connection with my employment with Council and to advise my manager of any relevant changes in my personal circumstances. I have participated in the development of the management plan, understand my obligations and will carry out all necessary actions.

Employee Name:	
Employee Signature & Date:	

Manager: The above plan has been discussed with the employee and is appropriate to resolve the real or apparent conflict of interest disclosed above.	
Managers Name:	
Managers Signature & Date:	

When this form is finalised, please forward by "Staff-in-Confidence" mail / email to the governance@pormpuraaw.qld.gov.au for registering, and then the form is to be forwarded to Manager the HR Team Leader for retention on the Employee's Personnel File.