



# *WGCMA Employee Conflict of Interest Policy*

(Including Gifts, Benefits and Hospitality)

**Document No. 05/PL025**

<b>Sponsor:</b>	Chief Executive Officer
<b>Responsibility:</b>	Executive Management Team
<b>Approving body:</b>	Executive Management Team

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## 1. Policy objective and expected outcomes

The objective of this policy is to ensure that WGCMA employees do not engage in any activities that could pose a conflict of interest. A conflict of interest can be actual, potential or perceived. Conflict of interest can be described as any direct or indirect interest in, connection with or benefit from any outside activities, especially commercial activities, which might in any way adversely affect WGCMA.

Where an employee cannot avoid a conflict of interest then the employee should immediately declare the conflict to the Chief Executive Officer.

This policy also covers Gifts, Benefits and Hospitality, however, refer to the Authority's Gifts and Hospitality Policy and Procedure for specific action that needs to be taken in relation to offers of gifts, benefits and hospitality.

## 2. Policy statement

The WGCMA will actively pursue and promote a workplace culture that eliminates or reduces the potential for conflict of interest.

It is not possible to define all potential areas of conflict of interest and if you are in doubt you should discuss this with your Executive Manager or CEO.

As a general rule, and in accordance with the Water Act 1989 employees shall not, without written permission:

- engage in any business; or
- engage in the private practice of any profession or trade; or
- hold any office in any corporation, other than a municipal council; or
- engage in any employment other than that connected with the duties of office.

Accordingly, no employee shall knowingly become involved in a conflict of interest or, upon discovery thereof, allow such a conflict to continue without formal approval in writing from the CEO.

In addition, staff are required to report to the CEO any circumstances where an offer of a gift, benefit or hospitality is made – regardless of whether it is accepted or not. It is at the CEO's discretion as to whether gifts, benefits or hospitality can or cannot be accepted. The CEO also has the authority to direct that any gift, benefit or hospitality be returned if considered inappropriate.

All offers of gifts, benefits and hospitality (accepted or not) will be registered on the [WGCMA Register of Responses to Reportable Gift Offers](#).

All employees are expected to comply with the 'Conflict of Interest' provisions of the 'Code of Conduct for the Victorian Public Sector'.

### 3. Legislation or other relevant documents

[Code of Conduct for the Victorian Public Sector](#)

[Water Act 1989](#)

[Catchment and Land Protection Act 1994](#)

[The Victorian Charter of Human Rights and Responsibilities Act 2006](#)

[Public Administration Act 2004](#)

### 4. Delegations

The Chief Executive Officer is responsible for the implementation of the Conflict of Interest policy and procedure.

### 5. Relevant procedures

[Conflict of Interest Procedure](#)

[WGCMA Gifts Benefits and Hospitality Policy and Procedure](#)

[Financial Code of Practice Framework](#)

### 6. Definitions

#### **Conflict of Interest:**

As defined by the Victorian Public Sector Commission, a conflict of interest occurs when there is a conflict between the public duty and the private interests of any public official. All public officials need to ensure that their private interests do not influence or be seen to influence their decisions or performance of their public duties.

Conflicts of interest may be actual, perceived or potential:

- An actual conflict of interest is one where there is a real conflict between public duties and private interests
- A potential conflict of interest arises where an official's private interests could conflict with their public duties
- A perceived conflict of interest is where a third party could form the view that private interests could improperly influence a public official's actions, now or in the future.