

# Procedure

## Conflicts of Interest Management Procedure

**Version:** 2025.1 | **Version effective date:** 04/12/2025

**Supersedes:** Managing Conflicts of Interest Policy and Procedure (version 1.1)

### Scope

This procedure applies to all Queensland Public Trustee (QPT) staff, including:

- Permanent, temporary, full-time, part-time, or casual employees,
- Employees on secondment from other public sector organisations, and
- Other individuals performing work for the QPT, such as:
  - Volunteers,
  - Contractors,
  - Consultants, and
  - Any other external third parties.

In addition to the general conflicts of interest declaration obligations, certain QPT employees, including Senior Executive Service Officers and equivalent staff, are subject to additional requirements under the Public Sector Commission (PSC) directives and other relevant legislation. These include obligations to declare personal interests, including those of their partners or dependants, that could influence or be perceived as influencing their ability to perform their role impartially and effectively.

### Purpose

This procedure, along with its supporting documents, provides guidance for all QPT staff on effectively identifying and managing actual, potential, or perceived conflicts of interest. It outlines:

- The steps and processes for declaring interests,
- The responsibilities of staff and specific officers in managing conflicts of interest,
- The obligations of certain officers to declare an interest under relevant legislation and policies.

Effective conflicts of interest management is essential for:

- Maintaining public trust,
- Ensuring accountability, and
- Upholding the integrity of the QPT.

# Conflicts of Interest Management

## Overview

A conflict of interest occurs when a public sector employee's personal or private interests interfere, or appear to interfere, with their obligation to prioritise the public interest while performing their official duties for the QPT.

Employees of the QPT and the Queensland public sector must perform their duties impartially and fairly. They must ensure that their decisions are not influenced by self-interest, private affiliations, or the potential for personal gain or loss, whether for themselves or others they may wish to benefit or disadvantage.

## Process / Actions

### 1. Identifying a Conflict of Interest

While the responsibility for identifying and disclosing conflicts of interest rests with the individual, managers and colleagues are encouraged to raise concerns if they observe potential conflicts that may not have been disclosed.

#### 1.1. What is Conflict of Interest?

A conflict of interest occurs when a public sector employee's personal or private interests interfere, or appear to interfere, with their duty to prioritise the public interest. Conflicts of interest may arise for employees at any level and in any area of work within the QPT.

Personal and private interests that could conflict with an employee's public duties include, but are not limited to:

#### 1. Family and Close Associates:

**Example:** A QPT employee's stepsister is a beneficiary of an estate managed by the QPT, and the employee has access to the record in CIMS.

**Example:** A QPT employee who works in Customer Experience and Delivery is in a relationship with another QPT employee who works in Customer Legal, where there may be actual or perceived conflicts at work.

#### 2. Secondary Employment or Other Sources of Income:

**Example:** A QPT employee works part-time as a financial advisor and provides advice to a customer who is a beneficiary of an estate managed by the QPT.

**Example:** A QPT employee runs a side business selling products and promotes it to colleagues or customers during work hours.

#### 3. Previous Employment:

**Example:** A QPT employee previously worked for a law firm that is now representing a customer in a dispute with the QPT, and the employee is asked to provide input on the case.

**Example:** A QPT employee's former employer is a contractor bidding for a QPT project, and the employee is involved in the evaluation process.

#### 4. Business Interests and Asset Ownership:

**Example:** A QPT employee has an interest in a business that provides cleaning services, and that business is seeking a contract with the QPT.

**Example:** A QPT employee owns an investment property that is being considered as a rental option for a Financial Management customer.

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## 5. Receiving or Providing Gifts, Benefits, and Hospitality:

**Example:** A QPT employee receives a gift voucher from a supplier after awarding them a contract.

**Example:** A QPT employee accepts free tickets to a sporting event from a customer whose estate is being managed by the QPT.

## 6. Memberships and Affiliations:

**Example:** A QPT employee volunteers at a local charity that is seeking assistance from the QPT, and the employee is involved in discussions about providing that assistance.

**Example:** A QPT employee is a member of a local community group that has applied for funding from a charitable trust managed by the QPT, and the employee is involved in reviewing or processing the application.

Conflicts of Interest can be actual, potential or perceived. The three (3) types of conflicts of interest are outlined in **Table 1** below:

**Table 1:**

Actual conflict of interest	Potential conflict of interest	Perceived conflict of interest
This occurs when a public sector employee's personal or private interest is currently interfering with their professional duties, creating a situation where decision-making could be compromised.	This arises when an employee's personal or private interests do not currently conflict with their duties, but circumstances could change in the future, creating a conflict.	This exists when it might appear to an outsider that an employee's decision could be influenced by their personal or private interests, even if no actual conflict exists. The perception alone can be damaging to public trust.

Conflicts of interest can harm public trust and QPT's integrity. All employees must identify, declare, and manage conflicts to maintain transparency and accountability.

## 1.2. Pecuniary and Non-Pecuniary Conflicts of Interest

A conflict of interest can be classified as either pecuniary or non-pecuniary:

### Pecuniary Conflicts of Interest:

This involves an actual or potential financial gain. Importantly, money does not need to change hands for a pecuniary conflict to exist.

### Non-Pecuniary Conflicts of Interest:

This does not involve a financial component but may arise from personal or family relationships, or other non-financial interests.

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## Further Examples of Conflicts of Interest

- Performing the administration of a deceased estate for the QPT where a relative or associate is a beneficiary of the estate (**actual conflict of interest**).
- Participating on a recruitment selection panel where a relative has applied for appointment to the position (**actual conflict of interest**).
- An officer in Customer Experience and Delivery has a relative who is a Financial Management customer or are related or in a relationship with a QPT employee, where they may be actual or perceived conflicts at work (**potential conflict of interest**).
- An officer of the QPT or their close family member wishes to bid on a property being auctioned by the QPT (**actual or potential conflict of interest**).
- An officer of the QPT publicly endorses a supplier on social media while being involved in procurement decisions related to that supplier (**perceived conflict of interest**).

### 1.3. Higher risk activities

There are some areas and certain work functions which may carry a higher risk for a conflict of interest, particularly if the conflict of interest goes undeclared or unmanaged. It is important for staff to be aware of these higher risk activities, as effective identification and management of conflicts of interest in these areas protect both the QPT, and its employees.

Areas and certain work functions which carry a higher risk include, but are not limited to:

- Other employment
- Recruitment and selection
- Procurement and contract management
- Receiving gifts, benefits, or hospitality from stakeholders or suppliers.

### 1.4. Declaring conflicts of interest

Under section 89 of the *Public Sector Act 2022*, if an employee has a personal or private interest that conflicts, or may conflict, with the discharge of the employees' duties, the employee must:

- **Disclose** the nature of the interest and conflict to the Public as soon as practicable after the relevant facts become known to the employee; and
- **Must not take any action** or further action concerning the matter that is, or may be, affected by the conflict unless authorised by the Public Trustee of Queensland and CEO.

Timely disclosure of conflicts of interest is critical to ensuring they are managed effectively and do not compromise the integrity of decision-making processes.

At the QPT, this delegation is extended to the employees Senior Officer (SO) as set out in the [Human Resource Delegations](#).

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## 2. Process for Managing a Conflict of Interest

The process for managing conflicts of interest consists of three stages. All steps in the process must be completed promptly to ensure conflicts of interest are managed effectively and do not compromise decision-making or QPT integrity.

### 2.1. Stage 1 - Identify

#### ***Employee Responsibilities***

1. On identifying an actual, potential, or perceived conflict of interest, discuss the matter with your manager.
2. As soon as practicable, make a formal declaration by completing the QPT Conflicts of Interest – Declaration and Management Plan form.
3. Provide as much information as possible to allow the issue to be adequately assessed and to determine the most appropriate management strategies. For further guidance, refer to **Appendix A** and the Conflicts of Interest Management Toolkit, located at the back of this procedure.
4. Do not take any further action related to the matter until the Decision-Maker has endorsed the form and approved the management plan.
5. Notify your manager of any changes in circumstances that may affect the conflict of interest.

#### ***Manager Responsibilities***

1. Ensure the employee completes the QPT Conflicts of Interest – Declaration and Management Plan form and understands they must not take further action related to the conflict unless authorised.
2. Consider the disclosure and proposed management actions and discuss these with the employee. For further guidance, refer to Appendix A and the Conflicts of Interest Management Toolkit, located at the back of this procedure.
3. If uncertain about the most appropriate management strategy, seek advice from the Ethics and Integrity Unit (EIU) to ensure consistency with QPT policies.
4. Complete the manager's consideration section within the Conflicts of Interest – Declaration and Management Plan Form and provide it to the Decision-Maker for endorsement.
5. Document all discussions and actions taken regarding the conflict of interest.

#### ***Decision-Maker Responsibilities***

1. Review the completed Conflicts of Interest – Declaration and Management Plan Form and consider the issues raised, as well as the proposed management, monitoring, and review strategies.
2. Approve or reject the proposed management plan, ensuring it is practical, effective, and aligned with QPT policies.
3. Provide the declaration form to the Director Independent Services and the Customer Advocate for review to ensure risks have been identified and appropriate management strategies have been selected.

If the conflict cannot be resolved, escalate the matter to the Ethics and Integrity Unit (EIU) for further review and guidance.

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## 2.2. Stage 2 - Manage

Once a conflict of interest has been identified and declared, it must be actively managed. Employees, in collaboration with their managers, are responsible for ensuring that declared conflicts of interest are managed appropriately, with management strategies clearly documented and regularly reviewed.

The choice of management strategy will depend on an assessment of the following factors:

1. The nature of the conflict,
2. The complexity of the situation, and
3. The subtleties and severity of the case.

Conflicts of interest may be managed using one or more of the following strategies:

<b>Restrict</b>	Limit the employee's involvement in the matter.
<b>Recruit</b>	Assign an independent third party to oversee part or all of the process relating to the matter.
<b>Remove</b>	Exclude the employee from involvement in the matter.
<b>Relinquish</b>	Require the employee to relinquish the interest that is creating the conflict.
<b>Resign</b>	In extreme cases, the employee may need to resign from their position within the QPT.

The details of the chosen management strategy must be clearly outlined in the QPT Conflicts of Interest – Declaration and Management Plan form, which is developed in consultation with the manager. Once the management plan is approved by the relevant Decision-Maker, the employee is responsible for implementing it as directed.

For further guidance on management options, QPT staff should refer to **Annexure A: Conflicts of Interest Management Options Reckoner**.

## 2.3. Stage 3 – Monitor

Once the QPT Conflicts of Interest – Declaration and Management Plan form is approved, the manager and employee must work together to regularly review it, ensuring it remains effective and relevant. Reviews should occur at the intervals specified in the Conflicts of Interest Declaration and Management Plan or whenever circumstances change. Employees are responsible for promptly reporting any changes in circumstances, and the declaration form must be updated accordingly.

Managers must check the Conflicts of Interest Register for existing management plans when an employee begins work under their supervision.

The Conflicts of Interest Declaration and Management Plan must remain in place and be actively monitored until the conflict is resolved or no longer exists. Regular reviews are critical to ensuring that management strategies continue to effectively address the identified risks.

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## 3. Declaration of Interests - Additional Obligations for Certain QPT Staff

In addition to the general conflict of interest declaration obligations, certain employees may be required to declare personal interests, including those of their partners or dependants, that could influence or be perceived as influencing their ability to perform their role impartially and effectively.

For detailed information on what needs to be declared, please refer to the [Declare an interest](#) page on the Forgov website.

### ***Public Trustee of Queensland and Chief Executive Officer***

In accordance with:

#### **Statutory Obligations**

- the *Integrity Act 2009*, required to submit a declaration of interests **within one month of appointment** and **promptly update it if any changes occur**.
- the *Public Trustee Act 1978*, notify the Attorney-General of any changes to your financial interests in a business or entity.

There is no statutory requirement for annual declarations under these Acts.

### ***Public Trustee of Queensland and Chief Executive Officer Senior Executive Service Officer (and Equivalents)***

#### **Annual Declarations**

- As mandated by the Public Sector Commission Declaration of Interests policy:
- The Public Sector Commission (PSC) Declaration of Interests Policy requires Senior Executive Service (SES) and equivalent employees, including the Public Trustee of Queensland and the QPT executive team, to complete annual declarations of interests, even if there are no changes to the original declaration. Additionally, declarations must be submitted within one month of appointment, role changes, or changes to interests.
- The Public Trustee of Queensland and CEO must submit all declaration of interest forms to the Attorney-General.
- The QPT executive team must submit their declarations to the Public Trustee of Queensland and CEO or the relevant delegate.

### ***Public Sector Employees***

- QPT employees may be directed by the Public Trustee of Queensland and CEO or a relevant delegate to declare or revise their interests.

In accordance with:

[Public sector employees excluding chief executives \(Directive 03/24\)](#): Employees must comply with the requirements outlined in this directive when directed to declare or update their interests.

If requested, employees must:

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- Complete the Declaration of Interest form: Use the [Declaration of interests – public sector employees \(excluding chief executives\) form \(DOCX, 280.9 KB\)](#)
- Complete the Variation of Declaration of Interest form: Use the [Variation of declaration of Interests – public sector employees \(excluding chief executives form \(DOCX, 280.9 KB\)\)](#) if your interests change after you have declared your interests and you have been directed to revise your declaration.

All forms must be submitted to the Public Trustee of Queensland and CEO or the relevant delegate.

If you require further information on making or revising a declaration of interests, or if you are unsure who the relevant delegate is, speak to your manager or the Ethics and Integrity Unit.

## Consequences for Not Disclosing, Managing and Resolving a Conflicts of Interest

Having a conflict of interest is not unusual or wrong. However, failing to disclose or appropriately manage a conflict of interest is considered wrongdoing and may have serious consequences.

Failure to disclose a conflict of interest or refusal to follow the Decision-Maker's instructions to resolve or manage it may breach the Code of Conduct for the Queensland Public Service and section 89 of the *Public Sector Act 2022*. In cases where a conflicts of interest results in biased decision-making, it may also constitute corrupt conduct.

All QPT employees are obligated to report suspected corrupt conduct or behaviour that is inconsistent with the Code of Conduct for the Queensland Public Service, as outlined in the QPT's Reporting Corrupt Conduct Policy.

Failure to appropriately disclose or manage a conflict of interest may result in disciplinary action, including termination of employment, in accordance with the *Public Sector Act 2022* and the Code of Conduct for the Queensland Public Service.

## Recordkeeping and Privacy

Information relating to conflicts of interest, including Conflicts of Interest – Disclosure and Management Plans, and Declarations of Interest are stored securely in Content Manager.

Information relating to declared interests and conflicts of interests must be maintained in the strictest confidence. Unless otherwise required by law, Declarations of Interests and information relating to potential, actual or perceived conflicts of interest can only be accessed by:

- a) The employee or external third party providing the declaration; and
- b) A person, or the occupant of a position, who is nominated in a Conflicts of Interest Declaration and Management Plan or strategy as requiring access to specific information in the declaration or disclosure, for the purpose of implementing and monitoring the conflict of interest (including the employee's manager and the Decision-Maker).
- c) The Public Trustee of Queensland and CEO, or delegate, and or, in the case of the statutory head/statutory office holder, the relevant Attorney-General and Integrity Commissioner.

Conflicts of interest records will be retained in accordance with the Queensland Government's General Retention and Disposal Schedule.

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## Confidentiality

All information related to the conflicts of interest declaration and management process will be treated with the utmost confidentiality. This information will only be shared with individuals directly involved in managing the conflict, in accordance with QPT policies and privacy requirements.

## Roles and responsibilities for conflict of interests

Most of us will experience a conflict of interest at some point during our careers. Because conflicts of interest are subjective and personal, individuals can be prone to underestimating or misrepresenting the extent of the influence a personal and/or private interest may have. Therefore, both the employee and the manager have an important part to play in assessing and addressing the risks associated with the conflict of interest.

Managing conflicts of interest is a shared responsibility that requires collaboration between employees, managers, decision-makers, and the Ethics and Integrity Unit to protect the integrity of the QPT.

The obligations for identifying, disclosing, assessing and monitoring a conflict of interest are set out below.

Position	Responsibility
<b>Employees</b>	<p>The responsibility for the recognition and disclosure of an actual, potential or perceived conflicts of interest rests solely with the employee. Employees must:</p> <ul style="list-style-type: none"><li>Identify and disclose any actual, potential, or perceived conflicts of interest as soon as practicable after becoming aware of it.</li><li>Complete a record of the declaration of the conflicts of interest in the QPT's Conflicts of Interest Declaration and Management Plan Form.</li><li>Following disclosure of a conflict of interest, refrain from taking any action, or further action, relating to the issue giving rise to the possible conflict of interest unless authorised (s89 of the <i>Public Sector Act 2022</i>).</li><li>Actively participate in the development and implementation of agreed strategies to resolve or appropriately manage any conflict of interest in the public interest, including the development of a QPT Conflicts of Interest – Declaration and Management Plan Form.</li><li>Advise of any changes in circumstances that may affect the conflict of interest.</li><li>Actively participate in any conflict of interest review and risk management strategy review.</li><li>Comply with any QPT policies and procedures to which the conflict of interest situation relates, including, but not limited to, the Gifts and Benefits Policy and Procedure, Recruitment and Selection Policy, the Procurement and Contract Management Frameworks, and the Other Employment Policy and Procedure.</li></ul>

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Position	Responsibility
	<ul style="list-style-type: none"><li>Report allegations of suspected misconduct or corrupt conduct confidentially and in accordance with the QPT's Reporting Corrupt Conduct Policy.</li><li>Seek guidance from their manager or the Ethics and Integrity Unit (EIU) if they are unsure whether a situation constitutes a conflict of interest.</li><li>Complete a Declaration of Interests if directed by the Public Trustee of Queensland and CEO or relevant delegate.</li></ul>
<b>Managers</b>	<p>All managers across the QPT play a critical role in supporting their staff to identify and manage conflicts of interest. Managers have the following additional responsibilities:</p> <ul style="list-style-type: none"><li>Ensure employees are aware of their obligations to identify conflicts of interest.</li><li>Be aware of the risks of conflicts of interest in their area of work.</li><li>Following a disclosure of a conflict of interest, ensure the disclosing employee is aware they must not take any action, or further action, relating to the issue giving rise to the possible conflict of interest unless authorised.</li><li>Ensure the employee completes the Conflicts of Interest Declaration and Management Plan Form and assist them in identifying appropriate management strategies for identified conflicts of interest.</li><li>Notify the Ethics and Integrity Unit (EIU) regarding any identified or suspected conflicts of interest.</li><li>Once the QPT Conflicts of Interest – Declaration and Management Plan Form has been agreed and endorsed by the Decision-Maker, monitor the employee's compliance with the strategies implemented to manage the conflict of interest.</li><li>Document all discussions and actions taken regarding conflicts of interest to ensure transparency and accountability.</li><li>Regularly review the Conflicts of Interest Register for their team to ensure compliance and identify any potential risks.</li><li>Report any concerns surrounding suspected non-compliance with the policy and procedure.</li></ul>
<b>Decision-Maker</b>	<ul style="list-style-type: none"><li>Approve or reject the proposed Conflicts of Interest Management Plan.</li><li>Ensure the management plan is practical, effective, and aligned with QPT policies.</li><li>Provide feedback to the manager and employee on the decision.</li></ul>
<b>Ethics and Integrity</b>	<ul style="list-style-type: none"><li>Provide advice and support to all employees regarding the conflicts of interest process.</li><li>Ensure appropriate steps are taken in relation to the conflicts of interest.</li></ul>

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Position	Responsibility
	<ul style="list-style-type: none"><li>Review and endorse the identification of risks associated with the conflicts of interest and ensure those management strategies are appropriate.</li></ul> <p>Maintain a conflicts of interest register which:</p> <ul style="list-style-type: none"><li>collates the Conflicts of Interest Declaration and Management Plans and keep a copy of the electronic file</li><li>records any Conflicts of Interest Declaration and Management Plans and/or risk management strategies that have been put in place.</li></ul> <ul style="list-style-type: none"><li>Receive and investigate concerns surrounding suspected non-compliance with the legislative and policy and procedure requirements.</li><li>Provide training and awareness programs for employees and managers on conflicts of interest management.</li><li>Offer guidance on emerging risks, such as conflicts arising from social media activity or external affiliations.</li><li>Maintain a Declarations of Interests register.</li><li>Maintain a secure storage and recordkeeping for completed Declarations of Interests and related documentation.</li><li>Refer any concerns surrounding conflicts of interest matters which raise a reasonable suspicion of corrupt conduct to the Crime and Corruption Commission (CCC) as per requirements under the <i>Crime and Corruption Act 2002</i>.</li></ul>
<b>Senior Executive Service Officers (and Equivalents)</b>	<ul style="list-style-type: none"><li>SES officers and equivalent employees are expected to model ethical behaviour and demonstrate a commitment to managing conflicts of interest in the public interest.</li><li>These employees also have additional responsibilities to ensure transparency and accountability in their roles by completing a declaration of interests.</li><li>Ensure their declarations of interest are accurate, complete, and promptly updated to reflect any changes.</li><li>Submit declarations of interest:<ul style="list-style-type: none"><li>When newly appointed, by providing a Declaration of Interests within one (1) month of taking up duty.</li><li>On an annual basis, by submitting a Declaration of Interests to the Public Trustee of Queensland and CEO.</li></ul></li></ul>

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Position	Responsibility
	<ul style="list-style-type: none"><li>– When appointed to another role in the same organisation, by reviewing their existing Declaration of Interests and either certifying that no change is required or submitting a revised declaration within one (1) month of taking up duty in the new role.</li><li>– When their interests change to the extent that the potential for a conflict of interest is altered, by submitting a revised Declaration of Interests within one (1) month after the relevant facts of the change come to their knowledge.</li><li>– When an executive not usually subject to the PSC Policy temporarily performs duties in a role where remuneration is at, or equivalent to, a senior executive service level or above for a continuous period exceeding twelve (12) months, by providing a Declaration of Interests in accordance with this policy.</li><li>• All forms must be submitted to the Public Trustee of Queensland and CEO or the relevant delegate.</li><li>• Seek advice from the Ethics and Integrity Unit (EIU) if they are unsure about what needs to be declared.</li></ul> <p>Ensure their declarations align with the <i>Declaration of Interests Policy – Senior Executive Service and Equivalent Employees, including Statutory Office Holders</i>.</p>
<b>Public Trustee of Queensland and Chief Executive Officer</b>	<p>The Public Trustee of Queensland and CEO has additional responsibilities to ensure the integrity of the QPT. The CEO must:</p> <ul style="list-style-type: none"><li>• Submit a declaration of interests within one (1) month of appointment and promptly update it if any changes occur.</li><li>• Complete an annual declaration of interests, even if there are no changes to the original declaration.</li><li>• Notify the Attorney-General of any changes to their financial interests in a business or entity.</li><li>• Submit all declaration of interest forms to the Attorney-General.</li><li>• Ensure policies and procedures for conflicts of interest management are implemented effectively across the QPT.</li><li>• Review periodic reports from the Ethics and Integrity Unit (EIU) on conflicts of interest trends and compliance to identify areas for improvement.</li><li>• Promote a culture of integrity and accountability by ensuring all employees understand their obligations to identify, disclose, and manage conflicts of interest.</li></ul> <p>The CEO plays a critical role in safeguarding the integrity of the QPT and ensuring compliance with legislative and policy requirements.</p>

# Conflicts of Interest Management

## Definitions

Term	Definition
<b>Actual conflict</b>	Where there is a direct conflict between a public sector employee's current duties and responsibilities and their private/personal interests, and the conflict exists now.
<b>Conflict of Interest</b>	Occurs when a public sector employee's private/personal interests interfere, or appear to interfere, with their duty to put the public interest first.
<b>Conflicts of Interests Register</b>	A central register maintained by the Ethics and Integrity Unit physically and/or electronically, which <ul style="list-style-type: none"><li>• collates the Conflicts of Interest – Disclosure and Management Plan forms made by current employees, and</li><li>• records any CIM Plans and/or risk management strategies that have been put in place.</li></ul>
<b>Decision-Maker</b>	The Public Trustee of Queensland and CEO (position) for declaration of interests. The approving officer delegated with authority to approve conflicts of interest under section 2.5 of the QPT Human Resources Delegation.
<b>Declarants</b>	For the purposes of a Conflicts of Interest – Declaration and Management Plan – means any person or entity, who is not an employee but through any contract, deed, legislation, regulation, agreement, undertaking or other arrangement is subject to the QPT's policies and procedures pertaining to Conflicts of interest, however described.
<b>Employee/s</b>	Means, arrangement and of this policy and procedure, all persons employed as a public service officer, general employee or temporary employee under the PS Act, including full-time, part-time, casual, temporary, on secondment at a higher level or acting in a higher duties arrangement, and includes students and volunteers engaged in work or placement at or for the QPT in all work locations.
<b>Executives</b>	An executive appointed as a senior executive under s 188 of the PS Act, or <ul style="list-style-type: none"><li>• An executive appointed on a fixed term contract of employment with remuneration at the equivalent Senior Executive Service (SES) level or above under s 190 of the PS Act, or</li><li>• A person remunerated at the equivalent SES level or above employment in a government entity under any Act, as defined under s276 of the PS Act.</li></ul>

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Term	Definition
<b>External third party</b>	An individual (including sole trader), business or organisation that is not the Public Trustee of Queensland or a QPT employee but through any contract, deed, legislation, regulation, agreement, undertaking or other arrangement is subject to the QPT's policy and procedure pertaining to declarations of Interest or managing conflicts of interest, however described.
<b>Interests</b>	<p>Refers, for an interest required to be declared or disclosed and/or managed under this procedure, to the ordinary meaning of interest under the general law as indicated under section 87 and 88 of the PS Act, and includes</p> <ul style="list-style-type: none"><li>any personal interest, whether direct or indirect, pecuniary or non-pecuniary, that could be seen as influencing the performance of the relevant person's duties; and</li><li>the interests of the person's partner and dependants.</li></ul> <p>An interest includes the performance of duties in another capacity or role unrelated to the employee or officer's official duties for the QPT.</p>
<b>Non-pecuniary interest</b>	Non-pecuniary interest does not involve a financial component but may arise from self-interest, personal or family relationships or other affiliations. Includes any tendency toward favour or prejudice resulting from friendship, animosity or other personal involvement that could bias the person's judgment or decisions.
<b>Pecuniary interest</b>	Where the interest involves a reasonable likelihood of financial loss, gain or motivation to preserve a financial position. May result from an employee (or a relative or close associate) owning property, holding shares or a position in a company bidding for government work, or accepting gifts or benefits.
<b>Perceived conflict of interest</b>	Where a reasonable person looking from the outside could think a public sector employees private/personal interests could improperly influence their decision now or in the future.
<b>Potential conflict of interest</b>	Where a public sector employee has private/personal interests that could conflict with their official duties and responsibilities sometime in the future.
<b>Statutory Head</b>	The Public Trustee of Queensland and CEO
<b>The Public Trustee of Queensland and CEO</b>	The Chief Executive, or Statutory Head, of the agency.

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## Legislation and other compliance obligations

[Public Sector Act 2022](#)

[Public Sector Ethics Act 1994](#)

[Integrity Act 2009](#)

[Directive 05/24 – Declaration of Interests - Chief Executives of Government Departments](#)

[Directive 03/24 – Declaration of Interests – Public Service Employees \(other than chief executives\)](#)

[Code of Conduct for the Queensland Public Service](#)

[Other Employment Policy and Procedure](#)

[Financial Management Practice Manual](#)

[Gifts and Benefits Policy and Procedure](#)

[Directive 22/09 - Gifts & Benefits Policy - Public Service Commission](#)

[Queensland Procurement Policy 2026](#)

## Supporting documents

- Managing Conflicts of Interest Policy

## Contact

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## Document information (for internal use only)

<b>Procedure Owner</b>	Director, Independent Services and the Customer Advocate
<b>Procedure Delegate</b>	The Public Trustee of Queensland and CEO

Current Version				
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# Conflicts of Interest Management

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1.0	Managing Conflicts of Interest	March 2021	Draft
1.1	Managing Conflicts of Interest	September 2021	Updated draft to incorporate feedback from consultation
2025.1	Conflicts of Interest Management Procedure	04/12/2025	Comprehensive review to reflect contemporary standards and align with the requirements of the QPT, updated template. Reflect that COI & Declaration of Interest functions are now managed by the Ethics and Integrity Unit.

# Conflicts of Interest Management

## Annexure A: Conflicts of Interest Management Options Reckoner

Management Strategy	When Strategy is Most Useful	When Strategy is Least Useful	Example
<p><b>Register</b></p> <p>Where details of an actual, potential, or perceived conflicts of interest are formally recorded.</p> <p><b>Note:</b> All conflicts of interest must be registered regardless of any additional management options adopted.</p>	<ul style="list-style-type: none"> <li>For very low-risk conflicts of interest and potential conflicts of interest.</li> <li>When transparency through recording the conflict of interest is sufficient to manage the risk.</li> </ul>	<ul style="list-style-type: none"> <li>When the conflict is significant or of higher risk.</li> <li>When the conflict's potential or perceived effects on the employee's duties require more proactive management.</li> </ul>	<ul style="list-style-type: none"> <li>An employee declares that their cousin works for a supplier, but the employee is not involved in procurement decisions.</li> </ul>
<p><b>Restrict</b></p> <p>Where restrictions are placed on the employee's involvement in the matter.</p>	<ul style="list-style-type: none"> <li>When the employee can be effectively separated from specific activities or processes.</li> <li>When the conflict is unlikely to arise frequently.</li> </ul>	<ul style="list-style-type: none"> <li>When the conflict arises frequently, making restrictions impractical.</li> <li>When the employee is unable to perform many of their regular duties due to the conflict.</li> </ul>	<ul style="list-style-type: none"> <li>An employee is restricted from participating in procurement decisions involving a supplier they have a personal relationship with.</li> </ul>
<p><b>Recruit</b></p> <p>Where a disinterested third party is used to oversee part or all of the process that deals with the matter.</p>	<ul style="list-style-type: none"> <li>When it is not feasible or desirable for the employee to remove themselves entirely from the decision-making process.</li> <li>In small or isolated communities where the employee's expertise is essential and not easily replaced.</li> </ul>	<ul style="list-style-type: none"> <li>When the conflict is serious and ongoing, making ad hoc recruitment unworkable.</li> <li>When a suitable third party cannot be sourced.</li> </ul>	<ul style="list-style-type: none"> <li>A manager recruits an independent panel member to oversee a recruitment process involving their friend as an applicant.</li> </ul>

# Conflicts of Interest Management

Management Strategy	When Strategy is Most Useful	When Strategy is Least Useful	Example
<b>Remove</b> Where the employee chooses to be removed from the matter.	<ul style="list-style-type: none"> <li>For ongoing serious conflicts of interest where restrictions or recruitment are insufficient.</li> </ul>	<ul style="list-style-type: none"> <li>When the conflict is low risk or insignificant.</li> <li>When the employee is prepared to relinquish the private interest instead of being removed.</li> </ul>	<ul style="list-style-type: none"> <li>An employee is removed from a project where their spouse is a contractor.</li> </ul>
<b>Relinquish</b> Where the employee relinquishes the private interest that is creating the conflict.	<ul style="list-style-type: none"> <li>When the employee's commitment to public duty outweighs their attachment to their private interest.</li> </ul>	<ul style="list-style-type: none"> <li>When the employee is unable or unwilling to relinquish the private interest.</li> </ul>	<ul style="list-style-type: none"> <li>An employee relinquishes shares in a company bidding for a QPT contract.</li> </ul>
<b>Resign</b> Where the employee resigns from their position with the agency.	<ul style="list-style-type: none"> <li>When no other options are workable.</li> <li>When the employee cannot or will not relinquish their conflicting private interest, and changes to their work responsibilities are not feasible.</li> <li>When the employee prefers this course as a matter of personal principle.</li> </ul>	<ul style="list-style-type: none"> <li>When the conflict is low risk or insignificant.</li> <li>When other options exist that are workable for both the employee and agency.</li> </ul>	<ul style="list-style-type: none"> <li>An employee resigns from their role due to an unavoidable conflict with their private business interests.</li> </ul>

# Conflicts of Interest Management

## Annexure B: Conflicts of Interest Quick Reference Guide and Toolkit

### - Part 1: Quick Reference Guide

#### Managing Conflicts of Interest: Key Steps

##### **1. Identify the Conflict of Interest**

- Ask yourself: Does this situation involve personal interests that could interfere with my public duties?
- Use the *Conflicts of Interest Self-Assessment Checklist* in the toolkit for guidance.

##### **2. Declare the Conflict**

- Notify your manager as soon as practicable.
- Complete the *Conflicts of Interest – Declaration and Management Plan Form* (available on the intranet).

##### **3. Develop a Management Plan**

- Work with your manager to identify strategies to manage the conflict (refer to the *Management Options Reckoner* in Annexure A).
- Submit the form to the Decision-Maker for approval.

##### **4. Implement and Monitor the Plan**

- Follow the approved management plan.
- Regularly review the plan with your manager to ensure it remains effective.

##### **5. Seek Guidance if Needed**

- Contact the Ethics and Integrity Unit for advice or clarification.

## Part 2: Conflicts of Interest Management Toolkit

### Purpose

The purpose of this toolkit is to provide QPT staff with detailed guidance on identifying and managing conflicts of interest. It includes:

- A *Conflicts of Interest Self-Assessment Checklist*, and
- Conflicts of Interest Scenarios, with risks and management strategies.

This toolkit should be read in conjunction with the *Conflicts of Interest Management Procedure*.

# Conflicts of Interest Management

## Conflicts of Interest Self-Assessment checklist

Below are some useful questions to assist you in identifying whether you have an actual, potential, or perceived conflict of interest.

A 'yes' answer to any of the below questions may indicate a conflict exists and should be reported. If you are in doubt, speak with your manager or contact the Ethics and Integrity Unit for further advice.

It is important to note that a perceived conflict of interest can often be more damaging than a well-managed actual conflict because it can undermine trust and confidence in your impartiality, even if no wrongdoing has occurred. Identifying and managing all types of conflicts is essential to maintaining transparency and integrity.

General Conflict of Interest questions	Yes	No
Would you, or anyone associated with you, stand to gain or lose from your proposed decision or action?		
Do you have a current or previous personal relationship or association of any significance with the people involved in this situation?		
Do you have a current or previous professional or financial relationship or association of any significance with the people involved in this situation?		
Do you, or anyone associated with you, have a private business or other employment interest in this situation?		
Are you, or anyone associated with you (e.g., a relative, friend, or associate) likely to gain or lose financially because of the proposed decision or action?		
Would your reputation or that of a relative, friend or associate stand to be enhanced or damaged because of the proposed decision or action?		
Do you hold any personal or professional views or biases that may lead others to reasonably conclude that you are not the appropriate person to deal with this situation?		
Have you made any promises or commitments in relation to this matter?		
Have you received or been offered a benefit, gift, donation or hospitality from someone who stands to gain or lose from your proposed decision or action?		
Could this situation influence any future employment opportunities outside your current official duties?		
Are you a member of an association, club or professional organisation or do you have ties and affiliations with organisations or individuals who stand to gain or lose by the proposed action or decision?		
Would you think it was wrong or improper if you saw someone else doing this?		
Would it appear to a fair-minded member of the public that your private interests were in conflict with your public duty?		

# Conflicts of Interest Management

## Conflicts of Interest Scenarios

The following examples are designed to assist staff in identifying actual, potential or perceived conflicts of interest that may arise when performing their duties and functions at the QPT. The risks and management strategies outlined are not exhaustive and should be used as a guide only.

Employees are encouraged to seek further advice from their manager or the Ethics and Integrity Unit if they are unsure about a specific situation.

### Scenario 1: Recruitment Conflicts of Interest

*Harriet faces a conflict of interest due to her son applying for a role in her team.*

Harriet is a Regional Manager. There is a permanent vacancy for an A03 Administration Officer in Harriet's team. Harriet's son, Jeff holds a A02 Administration Officer position at another agency, which requires a 1 hour commute. Jeff is seeking a permanent position closer to home. Harriet notifies her Regional Director that her son is likely to apply for the advertised position and removes herself from the recruitment process.

The recruitment panel is selected and comprises:

- Two staff members from Harriet's team, who report directly to her.
- An independent member from another team who has a longstanding professional relationship with Harriet, having worked together for 20 years.

### Conflicts of Interest Risks

Although Harriet has removed herself from the recruitment process, the situation still presents conflict of interest risks, including:

1. **Perception of Bias:** The panel includes Harriet's subordinates, who may feel pressured to select her son due to the power dynamic.
2. **Independent Member's Association:** The independent panel member's longstanding professional relationship with Harriet could create a perception of partiality.
3. **Public Perception:** Even if the panel believes they can remain impartial, a reasonable person might suspect that the panel could be influenced or compelled to recommend Harriet's son for the position.

### Management Strategies

To effectively manage the conflicts of interest in this scenario, Harriet and her manager may consider implementing the following strategies:

1. **Removal from the Process:** Ideally, Harriet should be excluded from all aspects of the recruitment process, including knowledge of the panel composition or discussions about the process.
2. **Direction to Staff:** Harriet's manager may wish to consider directing all staff involved in the recruitment process, not to discuss the process with Harriet.
3. **Independent Panel Composition:** Reconstituting the panel to include only independent members with no personal or professional ties to Harriet or her son could help mitigate risks.

# Conflicts of Interest Management

Including a representative from outside the QPT might also enhance impartiality and public confidence in the process.

4. **Independent Chairperson:** Appointing an independent third party to chair the panel, such as a manager from another unit or region, or an external representative.
5. **Post-Recruitment Monitoring:** If Jeff is successful, ensure Harriet has no direct or indirect supervisory role over him. Establishing clear reporting lines and oversight mechanisms to prevent any perception of favouritism.
6. **Ongoing Monitoring via PDA Process:** Regularly review the arrangements through the PDA process to ensure the conflict is being effectively managed and that no new risks have emerged.
7. **Consultation with Ethics and Integrity Unit:** Seek advice from the Ethics and Integrity Unit to ensure all risks are identified and managed appropriately.

Document all decisions and steps taken to manage the conflict of interest management process.

8. **Training for Panel Members:** Providing training or a briefing to panel members on managing conflicts of interest and ensuring impartiality during the recruitment process could help strengthen the integrity of the process.
9. **Recordkeeping:** It is important to document the conflict of interest, and any decisions made to manage it in the recruitment and selection conflict of interest paperwork.

## Scenario 2: Managing an Ongoing Conflict of Interest

Following on from **Scenario 1**, *Harriet's son Jeff now works at the QPT, creating an ongoing conflict of interest in her supervisory role.*

### Conflicts of Interest Risks:

Harriet now faces a potential conflict of interest due to her personal relationship with Jeff. This conflict arises because Harriet's decisions could directly or indirectly impact aspects of Jeff's employment, including:

- **Leave Allocation:** Harriet may be required to approve or deny Jeff's leave requests.
- **Performance and Development Agreement (PDA):** Harriet's involvement in setting or assessing Jeff's performance goals could be perceived as biased.
- **Professional Development Opportunities:** Harriet's decisions regarding Jeff's access to training or career development opportunities could be seen as favouritism.

Even if Harriet believes she can remain impartial, a reasonable person might perceive her involvement in these matters as a conflict of interest.

A conflict of interest may still exist regardless of whether Harriet and Jeff are in the same team. All relationships across the QPT, irrespective of team or role, must be declared.

### Management Strategies

To address the ongoing conflicts of interest, Harriet and her manager may wish to consider implementing the following strategies:

1. **Declaration of the Conflict:** Harriet should now formally declare the conflict of interest to her manager to ensure transparency and allow for appropriate management of the situation.

# Conflicts of Interest Management

2. **Reallocation of Supervisory Responsibilities:** Harriet's manager should consider reassigning supervisory responsibilities for Jeff to another manager or senior staff member. This could include decisions related to:
  - Leave approvals,
  - Performance reviews, and
  - Professional development opportunities.
3. **Clear Reporting Lines:** Establishing clear reporting lines could help ensure Jeff does not report directly or indirectly to Harriet, reducing the potential for perceived or actual bias.
4. **Transparency with the Team:** Harriet's manager may wish to inform the team, in a general and appropriate way, that steps have been taken to manage the conflict of interest. This approach can help maintain trust and transparency within the workplace.
5. **Ongoing Monitoring via PDA Process:** Periodically review the arrangements through the PDA process to ensure the conflict is being effectively managed and that no new risks have emerged.
6. **Consultation with Ethics and Integrity Unit:** Seeking advice from the Ethics and Integrity Unit could assist in confirming that the management strategies are appropriate and comprehensive.
7. **Recordkeeping:** Documenting the conflict of interest and any decisions made to manage it in the appropriate conflict of interest management records may help ensure accountability and transparency.

## Scenario 3: Other Employment Conflict of Interest

*Sarah's second job at a not-for-profit creates a potential conflict of interest due to overlapping customers and access to confidential information.*

Sarah is a Legal Officer who works part time in the Brisbane office. Sarah has been offered part-time work at an advocacy not for profit organisation. There is a potential overlap between customers of the QPT and the external organisation.

### Conflict of Interest Risks:

Sarah may face several conflicts of interest risks, including:

- **Confidential Information:** Sarah has access to sensitive and confidential information at the QPT. There is a risk that this information could be inadvertently—or, in a worst-case scenario, deliberately—used to benefit the not-for-profit organisation or vice versa. This could lead to a misuse of confidential information and a breach of trust.
- **Decision-Making:** If Sarah is involved in decision-making that affects or involves the not-for-profit organisation, her dual roles may impair her ability to make unbiased decisions. This could occur if the outcomes of her decisions benefit or disadvantage her other employer.
- **Impartiality and Bias:** If there is a crossover of customers between the QPT and the not-for-profit organisation, Sarah may find it challenging to remain impartial in her dealings. This is particularly concerning if the interests of the two organisations diverge.

### Management Strategies

To mitigate the risks associated with this conflict of interest, Sarah and her manager may wish to consider the following strategies:

# Conflicts of Interest Management

1. **Information Barriers:** Establish clear barriers to prevent the sharing of sensitive or confidential information between Sarah's roles at the QPT and the not-for-profit organisation. Sarah should be reminded of her obligations under confidentiality agreements and relevant policies to safeguard sensitive information.
2. **Removal from Certain Decisions:** Sarah may need to remove herself from specific decisions or discussions in both roles where there is a direct conflict of interest, particularly regarding any crossover customers. This could include delegating such matters to another staff member or manager to ensure impartiality.
3. **Monitoring and Oversight via PDA Process:** Arrange for regular monitoring or auditing of Sarah's activities through the PDA process to ensure compliance with conflict of interest policies and any agreed management plan.
4. **Consultation with Ethics and Integrity Unit:** Sarah and her manager may wish to seek advice from the Ethics and Integrity Unit to ensure that all risks are identified and appropriately managed.
5. **Declaration of the Conflict:** Sarah should formally declare her dual employment and the potential conflict of interest to her manager. This ensures transparency and allows for the development of a tailored conflict of interest management plan.
6. **Recordkeeping:** Document the conflict of interest and all decisions made to manage it in the appropriate conflict of interest management records.

## Scenario 4: Conflict of Interest in Contractor Selection

*Brian's brother is bidding for a QPT-managed project, creating a conflict of interest in the contractor selection process.*

Brian is a Trust Officer arranging for a customer's property to undergo renovations due to recent storm damage. Brian's brother, George, has just moved to the area and is a carpenter by trade who is looking for work.

### Conflict of Interest Risks:

Brian may face several conflicts of interest risks, including:

- **Personal Gain:** There is a risk that Brian might be motivated, consciously or unconsciously, by the desire to help his brother secure employment, rather than focusing solely on the customer's best interests.
- **Fair Process:** Brian's relationship with his brother could undermine the integrity of the contractor selection process if George receives preferential treatment or insider information unavailable to other contractors.
- **Bias in Selection:** If George submits a bid for the carpentry work, Brian may be biased in evaluating the bids or the quality of the work proposed. This could result in an unfair advantage for George and undermine the fairness of the process.
- **Public Perception:** If George is awarded the contract, even if the process is fair, it could create a perception of favouritism or nepotism, potentially damaging the reputation of the QPT.

### Management Strategies:

To mitigate the risks associated with this conflict of interest, Brian and his manager may wish to consider the following strategies:

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1. **Removal from Decision-Making:** Brian should remove himself entirely from the decision-making process regarding the selection of contractors for the renovation project. This includes abstaining from discussions, evaluations, and approvals related to the bids.
2. **Independent Evaluation:** An independent party or committee could be appointed to handle the contractor selection process. This ensures that bids are evaluated impartially and that the final decision is free from bias.
3. **Transparency in the Process:** The QPT may wish to document and communicate the steps taken to ensure a fair and impartial contractor selection process. This could include outlining how bids were evaluated and how the final decision was made.
4. **Declaration of the Conflict:** Brian should formally declare his relationship with George and the potential conflict of interest to his manager. This ensures transparency and allows for appropriate management of the situation.
5. **Consultation with Ethics and Integrity Unit:** Brian and his manager may wish to seek advice from the Ethics and Integrity Unit to confirm that the management strategies are appropriate and comprehensive.
6. **Ongoing Monitoring via PDA Process:** Periodically review the arrangements through the PDA process to ensure the conflict is being effectively managed and that no new risks have emerged.
7. **Recordkeeping:** Document the conflict of interest and all decisions made to manage it in the appropriate conflict of interest management records. This ensures accountability and provides a clear record of the steps taken to address the situation.