

## Conflicts of Interest Management Policy

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

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

### Scope

This policy 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 policy establishes the legislative framework and guiding principles for the effective identification, declaration, and management of actual, potential, or perceived conflicts of interest within the QPT. It ensures compliance with relevant laws, ethical standards, and QPT values by:

- outlining the legislative and ethical obligations of QPT staff,
- establishing a foundation for maintaining public trust, accountability, and transparency, and
- supporting the consistent application of conflicts of interest management practices across the QPT.

This policy is underpinned by the principles of the *Public Sector Ethics Act 1994* and the Code of Conduct for the Queensland Public Service, ensuring that all workplace participants act with integrity and impartiality in prioritising the public interest.

### Policy Statement

The QPT is committed to fostering a culture of honesty and integrity. To uphold this commitment, the QPT will implement and maintain robust systems and processes for the identification, declaration, and management of conflicts of interest.

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## Principles

The principles outlined in the Public Sector Ethics Act 1994 and Code of Conduct for the Queensland Public Service guide the implementation of the QPT's management of conflicts of interest:

- Integrity and impartiality
- Promoting the public good
- Commitment to the system of government
- Accountability and transparency

## What is a 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 obligation to prioritise the public interest. Conflicts of interest may arise for employees at any level and in any work area within the QPT.

Employees working in the Queensland public sector, including the QPT, must perform their duties in a fair and impartial manner. 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.

## Requirements

### Code of Conduct for Queensland Public Service

Public service employees are responsible under the Code of Conduct for the Queensland Public Service (the Code) for disclosing all interests that may have a bearing, or be perceived to have a bearing, on their ability to properly and impartially discharge the duties of their office.

The Code was developed to strengthen the integrity and impartiality of the Queensland Public Sector and contains the ethics, principles and values prescribed in the *Public Sector Ethics Act 1994*.

Failure to declare an interest may constitute a breach of this policy and could lead to disciplinary action.

### **Public Sector Act 2022**

Section 89 of the *Public Sector Act 2022* requires all public service employees to, as soon as practicable, disclose a conflict of interest to the Chief Executive Officer (CEO). Employees must not take any action relating to the conflicts of interest unless authorised by the CEO.

A Chief Executive Officer may direct an employee to resolve the conflicts of interest.

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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## **Human Rights Act 2019**

Under the *Human Rights Act 2019*, the QPT has an obligation to act and make decisions in a way that is compatible with, and gives proper consideration to, human rights. Managers and decision-makers must comply with this obligation when deciding or acting under this policy.

## **Policy controls and managing non-compliance**

Compliance with this policy is mandatory for all staff. Managers are responsible for embedding the policy into practice within their teams. Staff must report any instances of non-compliance immediately through their manager to the policy owner or policy delegate listed in this document.

## Recordkeeping, reporting and privacy statement

All documentation related to conflicts of interest, including disclosures, management plans, and decisions, is to be stored securely and managed in accordance with the General Retention and Disposal Schedule for Queensland Government agencies.

Personal information collected during the management of conflicts of interest will only be accessed by authorised officers within the QPT. This information will be handled in compliance with relevant privacy legislation to ensure confidentiality and protect the rights of individuals.

## Roles and responsibilities

Position	Responsibility
<b>Employees</b>	<ul style="list-style-type: none"><li>• Identify and report any actual, potential or perceived conflicts of interest to their manager.</li><li>• To identify a conflict, consideration is to be given as to whether in performing their role, an employee could be influenced, or appear to be influenced, by personal interests. Employees need to consider:<ul style="list-style-type: none"><li>○ whether the situation could result in personal or financial gain for themselves, their family, or associates.</li><li>○ whether the situation could compromise their ability to act impartially or in the public interest.</li><li>○ whether the situation could create a perception of bias or lack of integrity.</li><li>○ the importance of reporting any concerns promptly to their manager.</li></ul></li><li>• Managing conflicts of interest is an ongoing responsibility shared by the declaring employee and their supervisor/manager. A management plan must be fair, transparent, accountable, and free from bias or discrimination.</li></ul>

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Position	Responsibility
<b>Supervisors/Managers</b>	<ul style="list-style-type: none"> <li>• Receive conflicts of interest declaration and management plans from staff.</li> <li>• Assist employees to develop management strategies.</li> <li>• Review and refer conflicts of interest declaration and management plans to the Decision-Maker for approval and to the Director Independent Services and the Customer Advocate for recording on the appropriate QPT register.</li> <li>• Ensure this policy is embedded into practice within their teams.</li> </ul>
<b>Ethics and Integrity Unit (EIU)</b>	<ul style="list-style-type: none"> <li>• Administer, monitor, evaluate, record and report on conflicts of interest and declarations of interest.</li> <li>• Provide appropriate support for decision makers, managers and employees by providing procedural information, advice and assistance.</li> <li>• Maintain the appropriate registers relating to conflicts of interest and declarations of interest.</li> <li>• Policy compliance is monitored and reported, and remedial action developed as required.</li> <li>• Timely policy reviews are conducted as required.</li> <li>• Ensure changes to this policy are communicated to all staff and published on the QPT website and Intranet.</li> </ul>
<b>Delegated Decision Makers</b>	<ul style="list-style-type: none"> <li>• Receive conflict of interest declaration and management plans.</li> <li>• Review and assist managers and supervisors in developing management strategies and determine appropriate outcome/s.</li> <li>• Review and refer conflicts of interest declaration and management plans to the Decision-Maker for approval and to the Director Independent Services and the Customer Advocate for recording on the appropriate QPT register.</li> <li>• Ensure this policy is embedded into practice within their teams.</li> </ul>
<b>Director Independent Services and the Customer Advocate</b>	<ul style="list-style-type: none"> <li>• Develop and maintain the Conflicts of Interest Framework including the policy, procedure and declaration form ensuring reviews/updates occur as required.</li> <li>• Undertake and disseminate this policy for consultation with stakeholders (including external stakeholders as appropriate) to inform policy content.</li> <li>• Receive and review declarations of conflicts of interest and declarations of interests and make recommendations and/or decisions about the appropriateness of management strategies.</li> <li>• Report on compliance when required.</li> </ul>

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Position	Responsibility
Senior Executive Officers	Review and disclose declaration of interests in accordance with the <a href="#">Public Sector Commission – Declaration of Interests – Senior Executives and Equivalent Employees</a> and the Declaration of interests – public sector employees excluding chief executives (Directive 03/24).
Public Trustee of Queensland and CEO	<ul style="list-style-type: none"><li>• Direct an employee to resolve a conflicts of interest.</li><li>• Review and disclose declaration of interests in accordance with the <a href="#">Public Sector Commission – Declaration of Interests – Senior Executives and Equivalent Employees</a> and the Declaration of interests – Chief Executives of departments (Directive 05/24).</li></ul>

## Definitions

Term	Definition
Actual conflict	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.
Conflicts of Interest	Occurs when a public sector employee's private/personal interests interfere, or appear to interfere, with their duty to put the public interest first.
Conflicts of Interests Register	A central register maintained by the Independent Services physically and/or electronically, which: <ul style="list-style-type: none"><li>• collates the Declarations of Interests made by current employees, and</li><li>• records any Conflicts of Interest Declaration and Management Plans and/or risk management strategies that have been put in place.</li></ul>
Decision Maker	<ul style="list-style-type: none"><li>• The Public Trustee of Queensland and CEO (position) for declaration of interests.</li><li>• The approving officer delegated with authority to approve conflicts of interest under section 2.5 of the QPT Human Resources Delegation.</li></ul>
Employee/s	<ul style="list-style-type: none"><li>• Means, for the purpose 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 Public Trustee in all work locations.</li></ul>
External third party	<ul style="list-style-type: none"><li>• An individual (including sole trader), business or organisation that is not the Queensland Public Trustee or a QPT employee but through any contract, deed, legislation, regulation, agreement, undertaking or other arrangement is subject to the Queensland Public Trustee's policy and procedure pertaining to declarations of Interest or managing conflicts of interest, however described.</li></ul>

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Term	Definition
<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 of the PS Act, and includes:</p> <ul style="list-style-type: none"><li>• any personal interest, whether direct or indirect, pecuniary or nonpecuniary, 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. An interest includes the performance of duties in another capacity or role unrelated to the employee or officer's official duties for the Queensland Public Trustee.</li></ul>
<b>Perceived conflict</b>	<p>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.</p>
<b>Potential conflict</b>	<p>Where a public sector employee has private/personal interests that could conflict with their official duties and responsibilities sometime in the future.</p>

## 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 2019](#)

# Conflicts of Interest Management

## Supporting documents

- Managing Conflicts of Interest Procedure

## Contact

For further information, please contact:

Ethics and Integrity

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## Document information (for internal use only)

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

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Managing Conflicts of Interest Policy and Procedure 2021	1.1

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Revision history			
Version No.	Document title	Date approved	Sections modified
1.0	Managing Conflicts of Interest Policy and Procedure	March 2021	Draft
1.1	Managing Conflicts of Interest Policy and Procedure	September 2021	Updated draft to incorporate feedback from consultation
2025.1	Conflicts of Interest Management Policy	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.