



Conflict of interest policy

Version: 1.3 | **Version effective:** 22/02/2023

Audience

Department-wide

Purpose

This policy outlines the Department of Education's (the department's) commitment to ensuring all employees are aware of their obligation to transparently identify, declare and resolve or manage conflicts of interest (COI) in favour of the public interest.

Policy statement

The department is committed to fostering an ethical and transparent workplace culture in which any actual, perceived or potential COIs are resolved or appropriately managed.

Having a COI is, in itself, not unusual or wrong but failing to declare and manage the conflict appropriately may result in disciplinary action and expose the employee and the department to risk. A COI exists when an employee's interests conflict with their duty to serve the public interest. A COI may arise from a range of factors including personal relationships, employment outside the public service (other/secondary employment), membership of special interest groups, giving and receiving gifts and benefits, ownership of shares, companies or property. A COI may also arise due to an interest held by a family member or close associate.

The department is committed to demonstrating impartiality and integrity in fulfilling its responsibilities. In recognition that public office involves maintaining public trust, we seek to promote public confidence through the department's commitment to the highest standards of integrity and conduct of employees at every level.

This policy should be read in conjunction with the [Code of Conduct for the Queensland Public Service](#), the department's [Standard of Practice](#), and the [Conflict of interest procedure](#).

Principles

Principle	What this means for the department
Integrity and impartiality	<ul style="list-style-type: none"> Employees must identify and declare an interest that could influence, or be seen as influencing, the performance of their duties

Principle	What this means for the department
	<ul style="list-style-type: none"> • COI issues must be resolved or appropriately managed in favour of the public interest • Employees must demonstrate a high standard of workplace behaviour and personal conduct • Employees must provide advice, make decisions and act in ways which are objective, independent, and impartial
Promoting the public good	<ul style="list-style-type: none"> • Employees must act ethically and use public resources to develop and deliver services to the community on behalf of government.
Commitment to the system of government	<ul style="list-style-type: none"> • Employees are aware of their obligations and are committed to the highest standards of integrity and conduct at every level • Employees accept and value their duty to uphold the system of government and the law of the State, Commonwealth and local government • The department is committed to effecting official public sector priorities, policies and decisions professionally and impartially
Accountability and transparency	<ul style="list-style-type: none"> • The department provides a clear and realistic description of what circumstances and relationships are likely to lead to COI for those in the department and the public sector • Employees will use public resources in an effective and accountable way • Employees, know what is required of them in relation to identifying and declaring COI • Employees, have access to relevant and effective strategies to manage COI appropriately • The department implements procedures to allow employees to disclose their interests and manage COI in a transparent manner • The department takes appropriate disciplinary action to address any breach of COI requirements • Employees make and maintain records of COI identification, declaration and management • Employees make transparent, ethical and impartial decisions

Requirements

All public service employees must declare interests and disclose any interest that conflicts or may conflict with the discharge of the employee's duties (sections 88 and 89 [Public Sector Act 2022 \(Qld\)](#)).

The Queensland Public Service Commission (PSC) issues directives that provide for disclosure of interests for employees, chief executives and senior executives, and set out requirements for disciplinary processes

and workplace investigations for COI. This policy aligns with these directives and outlines the departmental approach and employee mandatory requirements for identifying and managing COI.

All employees

Employees must fully disclose their interests that may have an influence on, or be perceived to have influence on, their ability to properly and impartially discharge the duties of their role/office.

Employees are also responsible for disclosing the interests of their partner and/or dependents if those interests have an influence, or may be perceived to have an influence, on their ability to properly and impartially discharge the duties of their role/office ([PSC Directive 03/24 Declaration of interests – public sector employees excluding chief executives](#)). This disclosure must be made to their manager as soon as practicable after the relevant facts come to the employee's knowledge.

After disclosing the COI matter employees must not take action or further action relating to the issue giving rise to the possible COI unless authorised ([s89](#) and [s183](#) of the [Public Sector Act 2022 \(Qld\)](#)).

Employees must actively participate in the process to manage or resolve conflicts of interest in the public interest and adhere to all agreed resolution strategies.

If a change to the employee's interests occurs after the initial disclosure of a COI, the employee must disclose the change to their manager as soon as practicable after any relevant facts about the change comes to their knowledge ([s88](#) and [s182](#) of the [Public Sector Act 2022 \(Qld\)](#)).

Employees who are engaged in other (secondary) employment must notify their manager and resolve any identified COI related to their other employment (in accordance with [Notification of other employment procedure](#) and [s89](#) of the [Criminal Code Act 1899 \(Qld\)](#)).

Employees must not enter into agreements or contracts with the department (contract back) in addition to their existing employment with the department, without prior written authorisation from the Director-General (or delegate). There are implications, including possible criminal offence, are outlined in the [Criminal Code Act 1899 \(Qld\)](#). The process to contract back to the department involves the identification and declaration of any actual, perceived, or potential COI.

If an employee fails to disclose a COI, or refuses to take any action directed by the department to resolve or manage a COI, this may result in a breach of the department's [Standard of Practice](#), the [Code of Conduct for the Queensland Public Service](#) and the employee may be liable to disciplinary action.

Employees must comply with any policies and procedures of the department to which the COI situation relates, including but not limited to [Gifts and benefits procedure](#), [Recruitment and selection](#), [Purchasing and procurement](#), and [Appropriate and ethical use of public resources](#). Employees must report allegations of misconduct or corrupt conduct associated with COIs to the department's [Integrity and Employee Relations unit](#).

Additional responsibilities for managers:

Managers in the department have responsibilities in relation to COI in addition to their responsibilities as an employee. Managers will:

- assess the available information to determine the appropriate action required upon receipt of a disclosure of a COI.

Senior Executive Service Officers (and equivalents):

- must provide a written declaration of interest within one month of commencing in the position and at least annually thereafter.

Chief Executive Officer

- within 1 month of commencing in the position
- within 1 month of any significant changes in the interest
- within 1 month of a significant change in official responsibilities
- annually by 31 July.

The Chief Executive Officer may also direct employees to provide a written declaration of interest at any time.

Definitions

Term	Definition
Change in interest	<p>In accordance with clauses 10.11-10.13 of the PSC Directive 03/25 Declaration of interests – public service employees excluding chief executives:</p> <p>Change in interest means where the employee's interests change to the extent that the potential for a conflict of interest is altered.</p> <p>Change in interests may include:</p> <ul style="list-style-type: none"> • any significant change in the interests about which information is required including acquisition, divestment or an altered relationship in the interest; or • a significant change in the official responsibilities of the public service employee.
Conflict of interest	<p>In accordance with s89 of the Public Sector Act 2022 (Qld):</p> <ul style="list-style-type: none"> • Involves an interest that conflicts or may conflict with the discharge of the employee's duties. <p>In accordance with the department's Standard of Practice:</p> <ul style="list-style-type: none"> • A COI can occur when an employee has, or is seen to have, a private interest, either financial (pecuniary) or non-financial (non-pecuniary), which conflicts or may conflict with the discharge of the employee's official duties. <p>Types of COI:</p> <ul style="list-style-type: none"> • An actual COI involves a direct conflict between a public service employee current duties and responsibilities and existing private interests • A perceived or apparent COI can exist where it could be perceived, or it appears, that a public official's private interests could improperly

Term	Definition
	<p>influence the performance of their duties – whether or not this is in fact the case</p> <ul style="list-style-type: none"> • A potential COI arises when a public service employee has a private interest that could conflict with their official duties in the future.
Corrupt conduct	<p>Section 15 of the Crime and Corruption Act 2001 (Qld) defines corrupt conduct.</p> <p>The department's Standard of Practice states that corrupt conduct is conduct by a person that adversely affects, or could adversely affect a unit of public administration or a person holding an appointment within that unit in a way that is:</p> <ul style="list-style-type: none"> • not honest or not impartial or • involves a breach of the trust placed in a person holding an appointment, either knowingly or recklessly or • involves the misuse of official information or material. <p>To meet the definition of “corrupt conduct”, the conduct in question, if proven, must also amount to either a criminal offence; or a disciplinary breach providing reasonable grounds for terminating the person’s services.</p>
Employees	<p>A person employed by the department, including permanent, temporary and casual employees, officers and the chief executive. For the full definition see section 12 of the Public Sector Act 2022 (Qld).</p>
Interest	<p>In accordance with clause 10.7 of the PSC Directive 03/24 Declaration of interests - public sector employees excluding chief executives:</p> <p>Interests to be considered by employees as to whether they create an actual, perceived or potential conflict of interest include the following:</p> <ul style="list-style-type: none"> (a) shareholdings in public and private companies (b) family and business trusts and nominee companies (c) bonds, debentures and like investments (d) savings and investment accounts (e) business partnerships (f) real estate (g) directorships in, or other employment by a public or private company or other business entity (e.g. sole trader) (h) other assets (i) other substantial sources of income (j) liabilities

Term	Definition
	<p>(k) organisational memberships (this excludes membership of an industrial organisation)</p> <p>(l) other interests, as per clauses 10.8 and 10.9 of the directive.</p>
Manager	<p>In accordance with the department's Human Resource Delegation Manual (DoE employees only), a Manager is defined as a person holding a delegation to make a determination on matters to which this policy relates.</p>
Misconduct	<p>In accordance with s91(5) of the Public Sector Act 2022 (Qld):</p> <ul style="list-style-type: none"> • inappropriate or improper conduct in an official capacity; or • inappropriate or improper conduct in a private capacity that reflects seriously and adversely on the public service.
Other employment (including volunteering)	<p>In accordance with the department's Notification of other employment procedure:</p> <ul style="list-style-type: none"> • paid employment as an employee or contractor, self-employment, involvement in a private business or partnership, the provision of paid consultancy service as a company director • unpaid work (for example work experience) and/or • volunteering. <p>Either on a full-time, part-time or casual basis, performed by an employee including during absences of approved leave, in:</p> <ul style="list-style-type: none"> • the Queensland public sector or other government jurisdictions • the private sector, whether for a private company or business or owner of, or directorship of a company, trading trust or partnership • working as an independent contractor • self-employment. <p>Other employment does not include the ownership and investment in shares in a publicly listed company or investments in rental properties or similar activities.</p>
Public interest	<p>Section 40(1)(h) of the Public Sector Act 2022 (Qld) states an employee's work performance and personal conduct must be directed towards acting honestly, fairly and in the public interest.</p> <p>The department's Standard of Practice defines public interest as:</p> <p>Acting lawfully and/or in accordance with government policy under the direction of the Minister.</p> <p>In the absence of legal or policy frameworks, it means acting for the common good of the entire community — not the sum of individual interests nor the interest of a particular group.</p>

Legislation

- [Code of Conduct for the Queensland Public Service](#)
- [Crime and Corruption Act 2001 \(Qld\)](#)
- [Criminal Code Act 1899 \(Qld\)](#)
- [Declaration of interests - Chief Executives of departments -- Directive 05/24](#)
- [Declaration of interests – public sector employees excluding chief executives - Directive 03/24](#)
- [Declaration of Interests policy – Senior Executive Service and Equivalent Employees including Statutory Office Holders](#) (Public Service Commission)
- [Discipline - Directive 05/23](#)
- [Human Rights Act 2019 \(Qld\)](#)
- [Individual employee grievances – Directive 11/20](#)
- [Information Privacy Act 2009 \(Qld\)](#)
- [Integrity Act 2009 \(Qld\)](#)
- [Public Interest Disclosure Act 2010 \(Qld\)](#)
- [Public Sector Ethics Act 1994 \(Qld\)](#)
- [Public Sector Act 2022 \(Qld\)](#)
- [Standard of Practice](#)
- [Workplace investigations - Directive 01/24](#)

Delegations/Authorisations

- [HR Delegations Manual](#) (DoE employees only)

Policies and procedures in this group

- [Conflict of interest procedure](#)
- [Notification of other employment procedure](#)
- [Gifts and benefits procedure](#)

Supporting information for this policy

- Nil

Other resources

- [Conflict of interest declaration and management plan](#)
- [Conflict of interest](#) (DoE employees only)

- [Fraud and corruption](#) (DoE employees only)
- [Guidelines for implementing “Allegations against employees in the area of student protection”](#)
- [Integrity Framework and Annual Action Plan](#) (DoE employees only)
- [Management Strategy Options](#) (DoE employees only)
- [Mandatory training](#) (DoE employees only)
- [Prevention in focus case studies](#) and [Corruption Prevention Advisories](#), Queensland Crime and Corruption Commission

Policies and procedures

- [Allegations against employees in the area of student protection procedure](#)
- [Appropriate and ethical use of public resources policy](#)
- [Catering and hospitality procedure](#)
- [Individual employee grievances procedure](#)
- [Purchasing and procurement procedure](#)
- [Recruitment and selection policy](#)
- [Reporting fraud and corruption procedure](#)
- [Student protection procedure](#)

Contact

For further information, please contact:

Integrity and Employee Relations

For advice regarding integrity matters, email integrity@qed.qld.gov.au

To report alleged misconduct and corrupt conduct, email intake@qed.qld.gov.au

Review date

6/09/2026

Superseded versions

Previous seven years shown. Minor version updates not included.

1.0 Conflict of interest policy

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