



Department of
Education

Conflict of Interest Policy

Effective date: 7 November 2023

Version: 1.1

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1. Policy statement

The Department of Education (the Department) is committed to reducing integrity, fraud and corruption risks by ensuring the effective reporting, registering and management of actual, perceived and potential conflicts of interest.

2. Policy rules

All employees of the Department will comply with the Conflicts of Interest Procedures, Code of Conduct and Standards (staff only), and Commissioner's Instruction No. 7: Code of Ethics.

All employees will report a conflict of interest to their line manager at the earliest opportunity.

Principals and line managers must communicate to employees their obligations under the Conflicts of Interest Procedures, Code of Conduct and Standards (staff only), and Commissioner's Instruction No. 7: Code of Ethics.

Deputy Directors General, Executive Directors and Directors of Education must communicate to principals, directors and staff under their direct line management their obligations under the Conflict of Interest Procedures, Code of Conduct and Standards (staff only), and Commissioner's Instruction No. 7: Code of Ethics.

Guidance

It is not wrong or unethical to have a conflict of interest, what is important is that it is identified, reported and appropriately managed.

Employees are responsible for initiating the reporting and registering of a conflict of interest, and for ensuring that their line manager considers and supports the management of the reported conflict.

Failure to report and manage a conflict of interest is a breach of discipline and may also amount to misconduct.

3. Responsibility for implementation and compliance

Deputy Directors General, Executive Directors, Directors of Education, principals and line managers are responsible for implementing this policy.

The Director, Standards and Integrity Directorate is responsible for compliance monitoring.

4. Scope

This policy applies to all employees of the Department.

5. Supporting procedures

[Conflict of Interest Procedures](#)

6. Definitions

Conflict of Interest

A conflict of interest is a situation arising from conflict between the performance of public duty and private or personal interests.

The conflict of interest may be actual, be perceived to exist, or potentially exist at some time in the future.

Actual conflict of interest

An actual conflict of interest is a personal interest you or an immediate family member or friend have that could influence your decisions, actions or advice in the course of your public duty.

Perceived conflict of interest

Perceived conflict of interest is when you or an immediate family member or close friend have a personal interest or an association with a person that you know will not influence your decisions, actions or advice in your public duty, but others may think it will.

Potential conflict of interest

Potential conflict of interest is when you or an immediate family member or friend may, in the future, develop a personal interest related to your decisions, actions or advice associated with your public duty.

Guidance

Perception of a conflict of interest is important to consider because public confidence in the integrity of an organisation is vital.

A perceived conflict of interest could exist in various circumstances such as a recruitment process where a member of the panel is known to the successful applicant. It is very important to report, register and manage any perceived conflict of interest. In this example the panel member is expected to have declared and documented the conflict in the selection report and the report should demonstrate how the conflict was managed.

A potential conflict of interest may not always be apparent to you, but when it becomes apparent, you are required to report, register and manage the conflict of interest.

In the circumstance where a complaint is made about the conduct of a staff member and that staff member has or had a personal relationship with their line manager, the line manager's senior manager should be involved in managing the complaint and documenting how it was addressed.

Volunteer activities can be a conflict of interest in some circumstances.

Secondary or outside employment

Secondary or outside employment includes operating any business or engaging in any commercial enterprise. It can include working for another employer or self-employment. It includes operating a business, corporation, incorporated association or incorporated body. Operating a hobby farm for commercial gain or a property that is advertised for short-term rental is a business or commercial enterprise. Secondary or outside employment does not include a long-term rental property.

Guidance

Secondary or outside employment is a conflict of interest that must be reported, registered and managed in accordance with this policy and procedures in addition to obtaining approval from the Director Employee Relations. Further information on seeking approval for secondary or outside employment is available on Ikon (staff only).

All staff engaging in tutoring activities (paid or unpaid) not associated with their role or functions of employment must report and register a conflict of interest and have prior approval for secondary or outside employment.

Self-managed superannuation funds could be a conflict of interest and also considered to be secondary employment. Refer to Public Sector Commissioner's Circular 2012-12.

7. Related documents

Relevant Legislation or Authority

[Commissioner's Instruction No. 7: Code of Ethics](#)

[Corruption, Crime and Misconduct Act 2003 \(WA\)](#)

[Criminal Code Act Compilation Act 1913 \(WA\)](#)

[Financial Administration and Audit Act 1985](#)

[Public Sector Management Act 1994 \(WA\)](#)

[Public Interest Disclosure Act 2003 \(WA\)](#)

[School Education Act 1999 \(WA\)](#)

[School Education Regulations 2000 \(WA\)](#)

[School Education \(Student Residential Colleges\) Regulations 2017 \(WA\)](#)

[State Records Act 2000 \(WA\)](#)

[Teacher Registration Act 2012 \(WA\)](#)

Related Department Policies

[Acceptance and Provision of Gifts Policy](#)

[Bullying in the Workplace Policy](#)

[Community Use of Public School Facilities Policy](#)

[Councils and Boards in Public Schools Policy](#)

[Employee Performance Policy](#)

[Enrolment in Public Schools Policy](#)

[Expenditure on Hospitality Policy](#)

[Incoming Sponsorship to Public Schools Policy](#)

[Intellectual Property Policy](#)

[Official Travel Policy](#)

[Private Tutors in Public Schools Policy](#)

[Records Management Policy](#)

[Recruitment, Selection and Appointment Policy](#)

[Staff Conduct and Discipline Policy](#)

Other Documents

[Aboriginal Cultural Standards Framework](#)

[Code of Conduct and Standards \(staff only\)](#)

[Government Manual for WA Government Boards and Committees](#)

[Grievance Framework](#)

[Managing a Breach of the Public Sector Standard Claims Framework](#)

[Procurement Administrative Schedule](#)

8. Contact information

Policy manager:

Director, Standards and Integrity Directorate

Policy contact officer:

Manager, Complaints, Integrity and Education, Standards and Integrity Directorate

Standards and Integrity Directorate

Department of Education

151 Royal Street

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9. History of changes

Effective date	8 November 2022
Last update date Policy version no.	1.0
Notes	The Conflict of Interest Policy was endorsed by the Director General on 14/7/22 D22/0539073
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Effective date	7 November 2023
Last update date Policy version no.	1.1
Notes	Updated with major changes. Signed by the Director General on 27 October 2023 D23/0015852

10. More information

Supporting content

Procedure

[Conflict of Interest Procedures](#)

Policy review date

7 November 2026
