

Conflicts of Interest – Fact Sheet

A conflict of interest (COI) exists when a reasonable person might perceive that an employee’s private interests could be favoured over their public duties.

There are two types of private interests: pecuniary (financial) and non-pecuniary (non-financial).

A COI can be either actual, perceived or potential:

- **Actual:** occurs when a public officer’s duties conflict with their private interests
- **Perceived:** stems from the reasonable view of the public or a third party that a public officer’s private interests could improperly influence their decisions or actions
- **Potential:** arises when a public officer’s duties could conflict with their private interests.

A COI exists when you answer ‘yes’ to any of the following:

1.
Do I have a private interest in this?

2.
Do I have a public duty here?

3.
Is there a link between my private interest and my public duty?

4.
Could a reasonable person perceive that my private interest might be favoured?

Most corrupt conduct involves a COI, and can arise when a COI is:

Concealed

Undeclared

Understated

Unresolved

Mismanaged

Abused

Declaring and managing COI

Why do I have to declare a COI?	You must declare any COI. This a requirement under the Communities and Justice (DCJ) COI Policy and Procedure.
Who must declare a COI?	Those who perform work in any capacity for DCJ, including: ongoing, temporary and casual employees; senior executives (PSSE); DCJ council/committee members; interns/graduates; consultants; contractors/contingent labour; student, work experience and volunteer staff.
When should I declare a COI?	As soon as a COI arises. This includes, but is not limited to: <ul style="list-style-type: none"> ➤ a new private interest arising ➤ a change in any existing private interest ((including any COI already declared) ➤ a change in your position/duties in DCJ ➤ those arising from any secondary employment or unpaid/voluntary work.
How do I declare a COI?	Complete and submit the COI online declaration form found on the DCJ COI intranet page under "How to submit a declaration".
What happens after I declare a COI?	Your declaration will workflow to your supervisor and/or delegated officer for review. Once finalised, you will receive a PDF version. Supervisors and/or delegated officers will be required to report on any agreed COI management strategy moving forward.
What if I fail to declare a COI?	This will be considered non-compliant with the DCJ COI Policy and Procedure. Consequently, this may constitute corrupt conduct and/or warrant disciplinary action.
Who can help with a COI query?	Please visit the DCJ COI intranet page for information. Here you can access the COI Policy and Procedure, the COI declaration form, COI quick-reference guide and links to other associated/related programs. If you still need help, please email: conflicts@dcj.nsw.gov.au