

Conflict of Interest Policy and Guidelines

Department of Logistics and Infrastructure

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Overview

Objectives and scope

The Department of Logistics and Infrastructure (DLI / the department) is committed to preventing adverse consequences that can arise from conflicts of interest, as well as the appearance of favouritism, undue influence or impropriety.

The Conflict of Interest Policy (COI Policy/ this policy) sets standards and provides guidance to its employees on how to disclose and manage a conflict of interest in an ethical, appropriate and transparent manner.

This policy applies to:

- all **departmental employees** including ongoing, temporary, casual, graduates, trainees and those on secondment to the department; and
- all **representatives** directly engaged to perform work for, or on behalf of, the department including contractors and consultants. These persons have obligations to disclose conflicts of interest under their conditions of contract.

Principles

The department is committed to and will uphold the following principles in applying this policy:

Impartiality	Employees have a duty to place the public interest above their private interests when carrying out their public duty. Employees make decisions and provide advice on merit and without bias, favouritism or self-interest.
Accountability	Employees are aware of their obligations and responsibilities and will identify and declare interests that could influence, or be seen to influence, the performance of their duties. Employees make decisions and take actions within the scope of their authority and are accountable for complying with the requirements in this policy.
Integrity	Employees strive to earn and sustain public trust through the appropriate management or avoidance of conflicts of interests. Employees do not allow personal interests to affect the way they carry out their duties or report improper conduct.
Risk-based approach	The department, through its policies, processes and governance mechanisms, ensures conflict of interest risks are appropriately declared, assessed and managed.

Legislation

The COI Policy is consistent with standards and employee expectations under the *Public Sector Employment and Management Act 1993* (PSEMA) and the Northern Territory Public Sector (NTPS) Employment Instruction 12 – Code of Conduct.

Section 5.4 of the Code of Conduct requires NTPS employees to disclose and take reasonable steps to avoid any conflict of interest (whether perceived, potential or actual) in connection with their public duties. It is also in the interests of all employees that the individuals and stakeholders with whom the department conducts business has confidence that employees act in accordance with the Code of Conduct and do not misuse any information. The department has obligations under the *Information Act 2002* in obtaining and protecting information including having a reasonable basis for requiring information and securing information to ensure privacy. Further links to relevant legislation and frameworks can be found at section 'Further information'.

Definitions

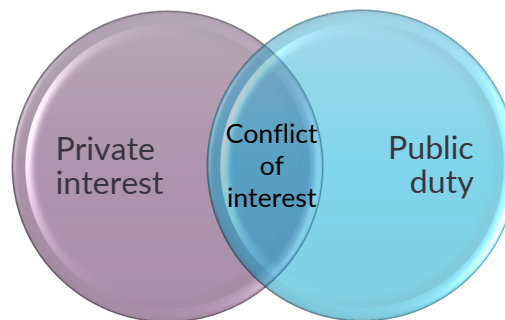
Term	Definition
Conflict of interest (COI)	As defined under the Code of Conduct, when the personal or private interest of a public officer interferes with their official duties. Conflicts of interest may be actual, be perceived to exist, or potentially exist at some time in the future.
COI Declaration Form	The department's internal online declaration form for employees to disclose conflict of interests related to their employment/official duties.
COI Delegate	COI Delegates are those in positions permitted to approve matters on behalf of the Chief Executive Officer in accordance with department delegations. Delegates with Level 1 Human Resources Delegations can approve an action proposed to resolve or manage a conflict of interest.
Designated positions	All positions at the SAO1/SP1 classification and below, which have been identified by COI Delegates are required to complete an annual declaration in the same manner as Senior Executives due to the nature of their role. Refer to section 'Annual declarations' of this policy for role examples.
Employee	All staff and persons undertaking work for or engaged by the department, whether on an ongoing, fixed period and casual basis, including contractors and consultants.
Executive Contract Officer (ECO)	Employees employed under an executive contract, or those temporarily placed in an ECO position whilst undertaking acting arrangements.
Gifts and benefits	Gifts and benefits are items or offers of value (monetary or cultural value) that give, or may be perceived by others to give, the receiver a token of appreciation, an advantage, profit, or favoured treatment. For example, hospitality, entertainment, free items or services, invitations etc. Reportable gifts and benefits are those which must be declared by employees as per the Gifts, Benefits and Hospitality Policy .
Low risk conflict of interest	Where the conflict of interest poses a minimal risk to the integrity of an employee's work or the decisions they make. The risk is low because the conflict is not likely to influence the outcome or lead to a significant loss of objectivity.
Immediate family	A spouse or former spouse, de facto partner (or former), child, parent, grandparent, grandchild, or sibling of an employee.
Manager	Those in positions with supervisory or decision-making authority over employees, and who hold a level of delegation under the department's Human Resources Delegations, regardless of actual position titles.
Principal's representative	In contract terms, the Principal is the party who engages another party (i.e. the contractor) to perform work or provide goods or services. In this policy's context, the Principal is the Department and the Principal's representative is the Superintendent (or Superintendent's representative).
Private interest (personal interest)	The term private interest refers to an individual's own personal, professional, or business interests that can benefit or disadvantage themselves or another. This extends to the personal, professional or business interests of individuals or groups they are closely associated with such as friends, family, rivals or enemies. The terms "private interest" and "personal interest" are sometimes interchangeable.
Public interest	In broad terms, refers to the collective welfare, well-being, and interests of the entire community or a significant part of it, rather than the private or personal interests of individuals. It involves collective values, beliefs, norms, and standards that a group of

Term	Definition
	people hold about how individuals, institutions, or systems should behave and perform within their shared environment.
Public duty	The responsibility of employees to put the public interest above their own personal or private interests when carrying out their official duties.
Relevant person/s	Any other person with whom an employee has a close personal relationship, including persons who are substantially or wholly reliant for support, financial or otherwise.
Senior Executives	All positions at and above the SAO2/SP2 classification, including ECOs; regardless of actual position titles.

What is a conflict of interest?

A conflict of interest exists when a reasonable person might perceive that your private or personal interests could be favoured over your public duties. In practice, this requires a connection or overlap between those interests and duties, as shown in the figure below.

Figure 1: Overlap relationship between a private interest, your public duty and having a conflict



Categories of conflicts of interest

Conflicts of interest can be categorised as one or both of the following:

- **Pecuniary (financial) interests** – includes potential, perceived or actual financial gain or loss. However, this does not necessarily mean that money needs to change hands. E.g. people have a pecuniary interest if they (or a relative or other close associate) own property, hold shares, have a position in a company applying for government work, or receive benefits (such as concessions, discounts, gifts, or hospitality) from a particular source.
- **Non-pecuniary interests** – do not have a financial component. These interests may arise from personal or family relationships, or involvement in sporting, social or cultural activities. E.g. any tendency towards favour or prejudice resulting from friendship, animosity, or other personal involvement with another person or group.

Types of conflicts of interest

There are 3 types of conflicts of interest:

- **actual** - where your personal interests interfere with your public duties
- **potential** - where you have personal interests that may interfere with your public duties
- **perceived** - where another person could form a view that your personal interests may influence the performance of your public duties.

Policy in brief

What do I need to know?

As an employee, you must:

- be aware of your obligations to declare and manage conflicts of interest under this policy
- disclose all conflicts of interest promptly to your manager or COI Delegate in accordance with this policy
- take reasonable steps to avoid conflicts of interest
- cooperate with your manager to ensure conflicts of interest are properly managed
- not allow your personal/private interests to affect the way you carry out your duties
- protect the reputation of the department by considering how a conflict of interest might be perceived
- complete conflict of interest awareness training (for departmental employees only)
- be aware that failure to disclose a conflict of interest or conduct which favours a personal interest is in breach of this policy.

What do I need to do?

When a conflict of interest arises for you, you need to **disclose** the conflict to your manager and discuss a plan to **manage** the conflict.

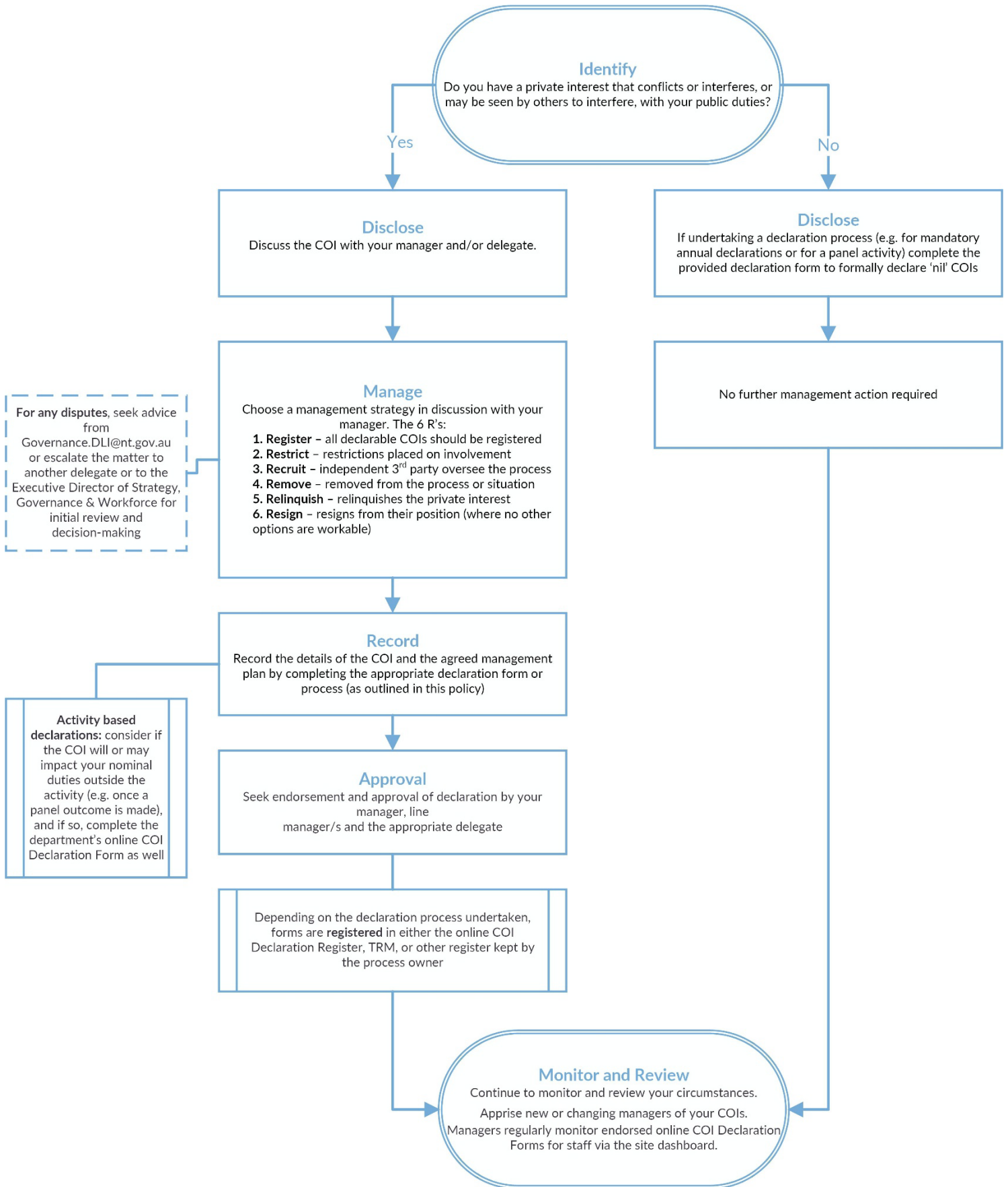
If you are a manager, you also need to work with your staff to **identify**, **declare** and **manage** any conflicts that arise for them.

Table 1: High-level process of what you need to do as conflicts arise

Identify	Understand your obligations under the COI Policy. Read the COI Toolkit and case studies and be confident that you can identify conflicts of interest when they arise for you or your staff.
Disclose	<p>Tell your manager about your conflict and discuss the steps that you need to take to avoid or manage the conflict.</p> <p>If required, register your disclosure to your manager/COI Delegate in writing.</p> <p>For example, if you're a departmental employee disclosing a COI which impacts your nominal position, you are required to complete the online COI Declaration Form, which will then be recorded on the department's online register in SharePoint.</p>
Manage	<p>Agree with your manager on steps that you need to take to manage the conflict. This may be:</p> <ul style="list-style-type: none"> • proactively avoiding potential conflicts • restricting your involvement or removing yourself from a decision-making process, or • relinquishing your private interest. <p>Record your plan for managing the conflict in the appropriate declaration form. When you submit the form, the declaration (including the management strategy) will be sent to your manager and/or COI Delegates for approval.</p>

See Figure 2 below for a flowchart of the key identification, disclosure and management steps.

Figure 2: High level flowchart for identification, disclosure and management of conflicts



1. Policy in detail

About conflicts of interest

Managing conflicts of interest is crucial, as the public rightly expects that employees of the public sector, along with their close connections and associates, should never be in a position to gain undue personal benefits. This reflects the view that public office is held for the public good, not the purposes or benefits of the officeholder. Therefore, any conflicts of interest that are concealed or mismanaged can damage the reputation of the department.

In most cases, only you will be aware of the potential for a conflict of interest. Consequently, the onus is on you, the employee, to identify and declare any conflicts in accordance with this COI Policy.

Identifying conflicts of interest

A private interest (whether outside or inside of work) does not automatically mean that there is a conflict of interest with your position or role. However, if something arises at work that is associated with those interests, then you may have a conflict.

Factors to consider when deciding whether your public duty and your private interests are in conflict include:

- financial and economic interests, including shares, investments or self-managed superannuation funds (SMSF) where members, directors or trustees of SMSFs make investment decisions
- immediate family or other personal relationships, including friendships with relevant persons (e.g. clients, contractors or other staff working in the same or a related organisation)
- family or personal businesses
- outside or secondary employment¹, appointments or directorships (whether remunerated or not)
- interests in property or land
- affiliations with for-profit and non-profit organisations and associations
- affiliations with political, trade union or professional organisations (e.g. sporting bodies, clubs and associations)
- obligations to professional, community, ethnic, family, or religious groups in a personal or professional capacity
- personal animosity, hatred or competition towards another individual or group
- offers of reportable gifts and benefits (particularly repeat offers from the same source)
- future employment prospects or plans (e.g. post separation employment).

Employees are encouraged to speak with their manager or seek advice from the department's Strategy and Governance Unit to help identify interests or associations that could constitute a conflict of interest that requires written disclosure.

Remember – in cases of uncertainty, it is preferable to discuss and disclose any potential conflict of interest rather than to conceal, disregard or ignore the matter.

¹ Prior to engaging in outside employment, you must seek delegate approval by completing the OneNTG Application to Engage in Outside Employment Form available on NTG Central <https://ntgcentral.nt.gov.au/my-job/my-responsibilities/outside-employment>

Offers of gifts and benefits – Employees and managers should remain mindful that offers of gifts and benefits can be potential sources of conflict. This is especially relevant for repeated offers from a single source.

Under the [Gifts, Benefits and Hospitality Policy](#) (GB&H Policy), departmental employees must declare offers of gifts and benefits by completing the Gifts and Benefits Declaration Form; even if the offer has been declined. The GB&H Policy identifies types of offers which must be declined and declared due to the risk they pose to the impartiality and integrity of our decision-making and reputation. These prohibited offers include those which are likely to raise a **conflict of interest**. For example, you're on an assessment panel and receive an offer from a person or organisation that you are likely to make, or influence, a decision about.

In situations where a conflict *does* arise from an offered gift or benefit, departmental employees must declare the offer under the GB&H Policy but also disclose and manage the conflict in accordance with this policy.

Refer to the GB&H Policy available on the [intranet](#) for more advice on how to declare and respond to offers of gifts and benefits.

Avoiding conflicts of interest

Having a conflict of interest is not necessarily wrong. However, you should, where practicable, avoid placing yourself in situations that may give rise to such conflicts. Proactively avoiding potential conflicts is the most effective method of managing conflicts of interest. This can be achieved by avoiding:

- assignments and tasks that could conflict with your personal interests (which you should discuss with your manager)
- investments or financial arrangements that could relate to your duties
- commercial dealings with suppliers and stakeholders that are not on a normal arm's length basis
- situations in which professional relationships could develop into personal relationships
- social media activity that could be perceived as compromising your impartiality.

Disclosure

You must declare conflicts of interest (whether actual, potential or perceived):

- when starting with the department or a new role (only if a conflict is identified)
- when new conflicts arise
- annually, if you are a Senior Executive or in a designated position (mandatory requirement)
- within 14 days of commencing an acting position at the Senior Executive or in a designated position (if acting for more than 3 months)
- when changes occur to your interests or circumstances (e.g. changing roles or new reporting lines)
- when renewing declarations annually
- before starting a project, procurement or panel process
- when declaring bankruptcy
- at any time instructed by your manager / principal representative.

Any employee who suspects that a conflict has not been declared or adequately managed must report the matter in accordance with the department's fraud and corruption reporting procedures available on the intranet. Refer to section 0 'Breaches' for further information.

Conflict of Interest Declaration Form

The [COI Declaration Form](#) is used by departmental employees to disclose conflicts related to their official, nominal role with the department (whether temporary or ongoing in nature) and may also be used in instances where no other declaration form exists to disclose interests for a specific work activity or project.

The COI Declaration Form is supported by your manager and any line manager/s and receives final approval from the appropriate COI Delegate, which will either be:

- the division head² - for all employees at the SAO2/SP2 classification and under; or
- the Chief Executive Officer – for all executive contract officers (ECOs), including those at the Executive Officer (EO2/EO3) level who may not be on an executive contract e.g. temporarily acting.

Further guidance on how to complete the COI Declaration Form is provided in the **COI Declaration Form Quick Reference Guide** available on the [intranet](#).

Annual declarations

It is mandatory for all **Senior Executives (SAO2/SP2 and ECO/EO2/EO3 classifications)** and all **designated positions** to complete a COI Declaration Form on commencement with the department, and annually thereafter by 31 March, including where no conflict exists (a nil declaration).

This requirement also applies to employees acting in these roles for more than 3 months (refer below).

The Strategy and Governance Unit is responsible for monitoring and reporting compliance with annual declaration requirements.

Designated positions:

Designated positions are roles identified by division heads as having a higher actual or perceived risk of conflicts of interest due to the nature of their duties or operating environment. These roles may sit at **SAO1/SP1 level or below**, and while they may not be final decision-makers, they often influence or manage high-risk functions such as procurement, recruitment, contract/project management, or access to highly confidential information.

Importantly, performing these types of activities does not automatically mean a role should be designated. The decision depends on the level of risk associated with the specific position, and it is ultimately at the discretion of the division head. Division heads nominate designated positions using a targeted, risk-based approach, allowing them to identify roles with genuine exposure to conflict-prone activities without applying a blanket requirement to all staff. Because each division's work differs, designated roles will vary across the agency and will not necessarily align by level or job type. For example, division heads may choose to nominate only managers or supervisors overseeing high-risk functions rather than entire teams. Other role examples could include those listed in delegation instruments, governance committee members, project or contract managers, team administrators, or executive officers.

All employees - whether they are designated or not - must disclose any conflict of interest that arises in the course of their duties. Being non-designated does not remove this obligation.

The Strategy and Governance Unit maintains a central register of all identified designated positions and updates it annually with division heads. Once identified, the relevant employees are contacted to complete their annual declaration.

Requirements when acting:

Employees who act in a Senior Executive role or in a designated position must complete a COI Declaration Form within 14 days of commencing the acting role if the acting period will exceed 3 months, including any extensions.

Short-term acting arrangements (for example, acting for a few weeks) generally present a low risk, and a mandatory declaration is not required unless a conflict of interest actually arises during that period.

² Level 1 Human Resources Delegations for the management of conflicts of interest.

Activity based declarations

When involved in certain work activities, you may be required to complete a declaration created specifically for that activity to disclose conflicts of interest; i.e. outside the COI Declaration Form process.

Activity based conflict of interest declaration processes are managed by the relevant business area responsible for that process. Below are some common examples.

If interests are disclosed during these activities, employees should always consider how they are meeting the general requirements of this policy, and whether a COI Declaration Form should also be completed (e.g. if the conflict or interest will/may impact their nominal duties outside the activity).

Procurement Declaration of Interest and Confidentiality Form:

In accordance with NTG procurement rules and department processes, all persons involved in a procurement activity must declare any actual interest and any actual, potential or perceived conflict of interest prior to engaging in the assessment of procurement tenders and prior to undertaking activity via the paper-based 'Procurement Declaration of Interest and Confidentiality Form' available on the [intranet](#). These declarations are provided to the panel Chair and Procurement Delegate³ or Project Director for approval and record keeping.

If a declaration is made, the Procurement Delegate must determine any actions arising from identified conflicts with due regard to probity.

Merit Selection (recruitment) Conflict of Interest Declaration for Selection Panel Form:

Conflicts of interest declared for a recruitment activity are completed by all selection panel members, including external panel members and scribes, via the NTG Conflict of Interest Declaration For Selection Panel Form available on [NTG Central](#).

Declaration forms are completed prior to the panel shortlisting applications and are provided to the panel Chair and/or Recruitment Selection Delegate for consideration and record keeping. Declaration forms are attached to the final selection report for approval by the Recruitment Selection Delegate⁴.

Board and Committee Member Disclosures:

Boards and committees play an important strategic role in providing leadership, direction and accountability across the public sector. The department must ensure that members of government boards are aware of their conflict of interest obligation in line with this policy and the [NTG Boards Handbook](#).

Members of boards, committees, or other official meeting forums (as defined by its terms of reference) shall disclose conflicts of interest during:

- membership nomination
- upon appointment
- as part of an annual declaration; and
- as conflicts arise or change.

The member may identify conflicts as they arise on matters to be discussed prior to the meeting's business. Upon disclosure, the Chair or the board/committee can make a decision on how to manage the conflict of interest and record the reasons for that decision in the meeting's minutes and/or a conflict of interest register. For example, the member may excuse themselves from the meeting when any discussion or voting on the particular issue is taking place.

Employees who sit on a governance board or committee outside of their own agency should consider if it is also appropriate to disclose their membership status, and any relevant interests disclosed during board/committee activities, to their manager by completing the COI Declaration Form.

³ Procurement and Contract Delegations for conflicts of interest.

⁴ Human Resources Delegations for employment and recruitment selection.

Contractors and consultants:

Contractors and consultants who submit a quote to undertake works or services on behalf of the department are required to declare conflicts of interest as part of their submission/tender response and must notify the Principal or Principal's representative immediately if any conflict exists or arises during the quote process.

Following award of a contract, and prior to commencement of services, contractors shall inform the Principal of any matter which may give rise to an actual or potential conflict of interest at any time during the currency of the contract; in accordance with their Conditions of Contract.

Additionally, consultants may be asked by the Principal prior to commencement of services to complete the Conflict of Interest and Confidentiality Deed for Consultants (available on the [NTG website](#)) due to the particular nature of their services and confidential information they may be privy to.

Managing a conflict of interest

The most effective method to manage a conflict of interest is to avoid situations that may give rise to a conflict.

As the employee

As part of the disclosure process you must:

- discuss the conflict of interest with your manager, and together document how your conflict of interest will be formally declared in writing and how it will be managed
- adhere to the agreed, documented approach to managing your conflict of interest
- submit a new declaration form if there is a change in the nature of your conflict of interest
- apprise a new manager of the details of your current conflict of interest and any management plan if you change roles or if reporting lines change
- never favour your personal interests regardless of any disclosure that you have made.

As the manager

If you are a manager and one of your employees has disclosed a conflict of interest, you must:

- have a conversation with the employee to obtain details of the conflict and agree on a management strategy (refer below on options to manage conflicts and the six 'R's)
- ensure the disclosure is submitted in writing (i.e. via the COI Declaration Form)
- if necessary, make further enquiries to verify the accuracy and completeness of the disclosure (e.g. the disclosure may be understated or lack sufficient detail). Managers may make reasonable enquiries and seek additional information from the employee to satisfy themselves that the disclosure is accurate; in accordance with section 5.1 of the Code of Conduct
- remain aware of declared conflicts and ensure management actions remain relevant, appropriate and are being adhered to.

Managers are encouraged to contact the Corporate Governance Unit for further advice on managing conflicts and disclosures.

Strategies to manage a conflict of interest – the “6 R’s”

Managers must develop a management strategy with employees who make disclosures by utilising one or more of the management strategies based on the “6 R’s” framework, as follows:

Table 2: The 6 R’s to manage conflicts of interest

Strategy	What this strategy means	When is it most suitable
Register	The employee formally registers details of the existence of a conflict of interest by disclosing it in writing and/or completing a formal declaration form.	<ul style="list-style-type: none"> All conflicts of interest which impact the employee’s public duty should be registered. May be suitable as the only management strategy for potential or perceived “low risk” conflicts of interest. Where recording the conflict of interest is sufficient to maintain transparency.
Restrict	Restrictions are placed on the employee’s involvement in a process or limitation on their duty related to the conflict matter are imposed.	<ul style="list-style-type: none"> The employee can be effectively separated from parts of the activity or process (e.g. this can be implemented by system controls such as TRM security groups or physical access controls). The conflict of interest is not likely to arise frequently or be of ongoing relevance.
Recruit	Recruit an independent third party to oversee part, or all of, the decision-making process so they can vouch for the integrity of the process.	<ul style="list-style-type: none"> In situations where it is not feasible or desirable for the employee to remove themselves from the duty or decision-making process. This strategy may be suitable in small or isolated communities or where an employee’s particular expertise is necessary and hard to replace.
Remove	The employee removes themselves completely from the process or matter.	<ul style="list-style-type: none"> For ongoing or serious conflicts of interest, where ad-hoc restriction or recruitment of others is not appropriate. Managers should always consider whether the circumstances warrant removing an employee from the duties that are in conflict with their personal interests. While not always practical, this approach eliminates much of the risk.
Relinquish	The employee relinquishes the personal interest that is creating the conflict.	<ul style="list-style-type: none"> The employee’s commitment to public duty outweighs their attachment to their personal interest.
Resign	The employee resigns from their position within the department.	<ul style="list-style-type: none"> No other options are workable. The employee cannot or will not relinquish their conflicting personal interest, and changes to their work responsibilities or environment are not feasible. The employee prefers this course as a matter of personal principle.

Conflict of Interest Toolkit

The [Conflict of Interest Toolkit](#) provides additional information and case studies which can assist employees in applying the above process in real life situations.

Disputes and grievances

If a management strategy cannot be agreed upon between the employee and manager or COI Delegate, the matter can be escalated to another COI Delegate or to the Executive Director of Strategy, Governance and Workforce for advice and resolution in the first instance.

If still unresolved, the matter will be escalated to the Chief Executive Officer for final decision-making. The employee and manager will be notified of the final decision upon completion of the COI Declaration Form.

If a complaint can't be resolved internally, an employee can lodge a formal grievance to the Office of the Commissioner for Public Employment (OCPE) in accordance with the OneNTG complaint procedures available on NTG Central. Until the grievance is resolved, the employee must cease involvement in the matters involving the conflict of interest.

Further information on complaint procedures and conflict resolution resources are available on NTG Central.

Managing privacy

Conflicts of interest can involve the disclosure of information that may be personal in nature, such as details about personal finances and relationships. While you must disclose this information, personal information will typically only be shared with relevant department employees where necessary or required.

The information provided in the COI Declaration Register will be held by the Strategy and Governance Unit, on behalf of the Chief Executive Officer, in accordance with the *Information Act 2002* and the Information Privacy Principles.

Refer to below 'Storage, reporting and security of disclosures' section of this policy for further information on the storage and security of disclosure forms.

Handling official information

In accordance with section 5.3 of the Code of Conduct, employees must not access or attempt to access official information other than in connection with the performance of their duties and/or as authorised.

Employees must not misuse information gained in their official capacity for personal benefit or gain or for the personal benefit or gain of another person.

Breaches

The discussion and disclosure of conflicts of interest provides protection to employees and the department from perceptions or allegations of improper or unprofessional conduct. Employees must report any reasonably suspected breaches of the COI Policy.

To report a breach, or suspected breach, follow the steps to make an improper conduct report in accordance with the department's fraud and corruption reporting procedures, available on the intranet.

Failure to disclose a conflict of interest or conduct which favours a personal interest is in breach of this policy and you may be subject to disciplinary action in accordance with section 49C of the PSEMA.

Disciplinary action may include:

- a formal caution
- training, counselling or other remedial activities
- forgoing a benefit or entitlement
- imposing a fine
- a reduction in salary
- transfer of duties
- termination of employment.

Improper conduct will be reported to the Office of the Independent Commissioner Against Corruption NT (ICAC) in accordance with their mandatory reporting directions and guidelines. Breaches that amount to criminal conduct will also be reported to the NT Police by the department.

Definitions on what constitutes improper conduct can be found on the [ICAC website](#).

Storage, reporting and security of disclosures

Disclosures completed using the COI Declaration Form are stored electronically on an online register in SharePoint, managed by the Strategy and Governance Unit. A copy of the register will be provided to the Executive Leadership Board on a biannual basis.

Other declaration forms linked to a specific activity or project, particularly paper-based declaration forms, should be stored in the NTG record management system, TRM, as a minimum. Activities/processes that use online workflows generally have the capability to keep records within an online database, such as eRecruit or SharePoint.

The record-keeping practices for some of the common activity based declaration processes include:

- **Procurement Declaration of Interest and Confidentiality Form**

All procurement declaration forms, including those disclosing 'nil' conflict of interests, are stored in TRM and held by the Procurement and Operations Delivery Team.

Furthermore, any declarations where an interest (whether actual, potential or perceived) has been disclosed is captured in a register and is held securely in TRM and managed by the Chief Procurement Officer.

- **NTG Recruitment Conflict of Interest Declaration for Selection Panel Form**

All merit selection conflict of interest declaration forms are uploaded by the panel Chair to the NTG online system for recruitment, e-Recruit, along with the other recruitment documentation. Additionally, the panel Chair may choose to save a copy of recruitment records in TRM.

- **Board and committee declarations**

Board member declarations may be recorded as part of the meeting minutes and/or in a conflict of interest register, maintained by the meeting secretariat. Meeting minutes and conflict of interest registers must be stored in TRM as a minimum.

- **Contractor and consultant declarations**

Declarations submitted by contractors and consultants as part of a procurement process⁵ are stored in TRM with other procurement documentation.

Declarations or disclosures provided after award of contract are saved in the relevant TRM project file for recordkeeping by the Project/Contract Manager, including signed Conflict of Interest and Confidentiality Deeds.

Remember, the above activity based declarations are not recorded in the online register for COI Declaration Forms, unless the employee also completes this form as a secondary disclosure.

Important: Employees should consider what appropriate security and access controls should be applied to TRM records when storing confidential information, including declaration forms and other disclosures.

Access to records

Any applications made under the *Information Act 2002* for access to disclosures will be dealt with in accordance with that Act and the Information Privacy Principles. An employee can access their information in accordance with the Act.

⁵ Included in the response schedule as part of Request For Quotation or Request For Tender process.

Employees can view their COI Declaration Forms, and forms they've approved for their staff, by going to the online COI Declaration Dashboard.

The Quick Reference Guide available on the [intranet](#) and Dashboard menu provides clear instructions for employees, managers and delegates on how to complete the COI Declaration Form and how to extract reports from the Dashboard.

Requests to access records from the COI Declaration Register can also be made to the Strategy and Governance Unit, Governance.DLI@nt.gov.au.

Awareness and training

Conflict of interest awareness training is provided to all departmental employees as part of NTPS essential training, including agency-specific induction training, made available on [myLearning](#).

This COI Policy, COI Toolkit and Quick Reference Guide are available on the department's [intranet](#). A copy of the COI Policy will also be published on the department's [internet](#) website for third party access.

Under the COI Policy, employees will be reminded of their responsibilities and obligations in relation to conflicts of interest throughout the year via Communication Bulletins, Chief Executive Officer Newsletters and messaging and/or published news stories on the intranet and internet webpages.

Compliance

Compliance with the COI Policy shall be assessed through ongoing monitoring and, where required, internal and external audit activities and ad hoc reviews.

Roles and responsibilities

Each of the following has specific assigned responsibilities under this policy:

Table 3: Roles and responsibilities in managing conflicts of interest

Role	Responsibility
Chief Executive Officer	<p>The Chief Executive Officer is the Accountable Officer for the department, and is responsible for:</p> <ul style="list-style-type: none"> • the general conduct and management of the department in accordance with the core values of the ethical framework for the government sector • maintaining an overall framework of internal control • delegating their authority to other department positions to approve matters i.e. department delegations • disclosing their own conflict of interests in accordance with this policy and referring any considerations and decisions to the Deputy Chief Executive or another COI Delegate. • approving COI Declaration Forms submitted by ECOs, in accordance with this policy and Human Resources Delegations • discussing the management of conflict of interest with their relevant Minister and, if appropriate, the Chief Executive Officer of the Department of the Chief Minister and Cabinet • completing a written declaration of private financial, personal and other interests or relationships within 30 days of commencement, annually thereafter and/or following any relevant change, in accordance with contract conditions. These declarations will be held by the appropriate Minister and the Commissioner for Public Employment

Role	Responsibility
Employees	<ul style="list-style-type: none"> • reporting reasonably suspected improper conduct to the ICAC. <p>Employees are responsible for:</p> <ul style="list-style-type: none"> • placing the interests of the department and the public interest ahead of personal interests • disclosing conflicts of interest in accordance with this policy • adhering to the agreed, documented approach to managing conflicts of interest • reporting reasonably suspected breaches of this policy in accordance with the department’s fraud and corruption control policy • departmental employees (excluding contractors) must complete conflict of interest awareness training as part of essential training in myLearning.
Managers	<p>Managers are responsible for:</p> <ul style="list-style-type: none"> • monitoring their employees’ compliance with this policy in accordance with the code of conduct • ensuring new or incoming employees are aware of this policy by completing mandatory induction and essential training • providing leadership in conversations and disclosing of conflicts of interest • exercising sound judgment when considering how the employees’ conflict of interest should be managed • regularly monitoring disclosed conflicts for their employees, ensuring approved management strategies remain effective and compliant under this policy • reporting reasonably suspected breaches of this policy in accordance with the department’s fraud and corruption control policy • ensuring that relationships with contractors remain on a professional basis, free of conflicts of interest.
Principal's Representative	<p>Principals are responsible for:</p> <ul style="list-style-type: none"> • monitoring contractors’ compliance with this policy in accordance with their Conditions of Contract to declare conflicts of interest • exercising sound judgment when considering how the contractor’s conflict of interest should be managed • regularly monitoring disclosed conflicts for contractors, ensuring approved management strategies remain effective and compliant under this policy • reporting and responding to reasonably suspected breaches of this policy in accordance with the department’s fraud and corruption control policy and Conditions of Contract • ensuring that relationships with contractors remain on a professional basis, free of conflicts of interest.
COI Delegates	<p>COI Delegates have the same responsibilities as Managers, but with additional responsibility for:</p> <ul style="list-style-type: none"> • being an escalation point for managers and/or employees on conflict of interest matters • reviewing and endorsing/approving COI Declaration Forms for their staff in accordance with Human Resources Delegations (Level 1), as follows: <ul style="list-style-type: none"> ○ approving forms submitted by non-ECO employees

Role	Responsibility
	<ul style="list-style-type: none"> ○ endorsing forms submitted by ECO employees, which are then progressed to the Chief Executive Officer for final approval ○ approving forms submitted by the Chief Executive Officer (as a proxy final delegate) ● identifying designated positions in their divisions and recording these positions in the Conflict of Interest Identified Positions List when prompted by Strategy and Governance Unit ● advising identified designated position holders of their obligations to submit an annual COI Declaration Form.
<p>Strategy and Governance Unit (Policy Owner)</p>	<p>The Strategy and Governance Unit is the policy owner, and is responsible for:</p> <ul style="list-style-type: none"> ● maintaining an internal register of submitted COI Declaration Forms ● maintaining an internal record of the department’s Senior Executives and designated positions (i.e. the Conflict of Interest Identified Positions List) ● coordinating the completion of mandatory annual declarations for Senior Executives and designated positions ● providing written and verbal guidance on this policy, where required ● developing and/or delivering conflicts of interest training, where required ● issuing communications to employees on conflicts of interest ● reviewing this policy every year.
<p>Executive Director of Strategy, Governance and Workforce</p>	<p>The Executive Director of Strategy, Governance and Workforce is responsible for:</p> <ul style="list-style-type: none"> ● receiving and investigating reports of breaches of this policy ● reviewing submitted COI Declaration Forms prior to final COI Delegates and exercising sound judgment when considering how the employees’ conflict of interest should be managed ● being an escalation point for managers and/or employees on conflict of interest matters.
<p>Audit, Risk and Investigations Unit</p>	<p>The Audit, Risk and Investigations Unit is responsible for:</p> <ul style="list-style-type: none"> ● auditing compliance with this policy where required ● receiving and investigating reports of alleged breaches of this policy ● ensuring that the risk management framework and registers of the department reflect the risk of conflicts of interest ● assisting the Strategy and Governance Unit, Executive Director of Strategy, Governance and Workforce, managers and employees to manage the risk posed by conflicts of interest.

Further information

Contact

Further information about the COI Policy and the management of conflicts of interests can be obtained by:

- contacting the Strategy and Governance Unit on 892 47593 or via email at Governance.DLI@nt.gov.au
- contacting the Executive Director of Strategy, Governance and Workforce on 892 47438
- contacting the Audit, Risk and Investigation Unit on 894 65260 or via email at auditrisk.dli@nt.gov.au
- visiting the department's intranet site <https://internal.nt.gov.au/dli>

Relevant resources and links

DLI policies / sites
DLI intranet Approvals and delegations
DLI intranet Conflict of Interest
DLI intranet Gifts, benefits and hospitality
DLI intranet Fraud and corruption
DLI intranet Probity and fair decision-making
DLI intranet Social media
DLI intranet Procurement

NTG sites
NTG Conditions of Contract https://nt.gov.au/industry/procurement/understanding-the-rules/conditions-contract
NTG Central – Conflict of interests: https://ntgcentral.nt.gov.au/my-job/my-responsibilities/conflict-of-interest
NTG Central – Complaints: https://ntgcentral.nt.gov.au/my-job/my-responsibilities/lodge-complaint#related-documents
ICAC NT - https://icac.nt.gov.au/

Legislation
Public Sector Employment and Management Act 1993
NTPS Code of Conduct
Information Act 2002
Financial Management Act 1995
Procurement Act 1995
Contracts Act 1978
Independent Commissioner Against Corruption Act 2017