|  |
| --- |
| **DECLARATION OF PRIVATE INTERESTS** |
| 1. Please complete this Declaration of Private Interests (DPI) form as accurately and comprehensively as possible. Do not leave any questions unanswered. 2. Except for the sections of the form that require signatures, the form is designed to be completed on screen. If completing the form by hand, all answers must be written in block capitals. 3. The form must be completed when shortlisted for a position on a Class A cemetery trust, annually and within five working days of a change of circumstance relating to the topics covered in the form. 4. The following steps must be taken to complete the form:    1. Trust member completes the declarant details and Sections A and B of the form. The signed form is provided to the trust chairperson (or delegate if the trust chairperson is completing the form as the declarant) for assessment.    2. Trust chairperson/delegate assesses the form and completes Section C.    3. If a conflict of interest risk is identified, the trust chairperson/delegate completes Section D in consultation with the trust member. The trust member and chairperson/delegate sign Section D. 5. Completed DPI forms are to be held by the trust and a report should be made to the Audit and Risk Committee at least annually on the administration and quality control of the conflict declaration process. 6. Copies of completed DPI forms are to be provided to the Department of Health (DH). |
| **USE OF YOUR PERSONAL INFORMATION** |
| 1. DH treats all personal information provided in a declaration in accordance with the *Privacy and Data Protection Act 2014* and the *Public Records Act 1973*. The personal information you provide in this form may be shared with other Victorian Government departments, non-departmental entities and public entities. Should you wish to gain access to your personal information held by DH please contact the DH Privacy Officer at <privacy@health.vic.gov.au>. 2. When you provide information about other individuals, DH relies on you to make them aware that such information has been provided. 3. Where DH determines that there is any material conflict, your appointment may be suspended while the particular interest remains. |
| **DEFINITIONS** |
| **Conflict of interest:** A conflict of interest arises when an employee has private interests that could improperly influence, or be seen to influence, their decisions or the performance of their public duties. Conflicts can be actual, potential or perceived and can be financial or non-financial in nature. Conflicts must be declared to ensure that any risks are managed appropriately. Detailed guidance can be found in the Victorian Public Sector Commission’s Model Conflict of Interest Policy Framework and other guidance materials available at <www.vpsc.vic.gov.au/resources/conflict-of-interest-guidance-for-organisations>.  **Family:** Includes your immediate family (e.g. husband, wife, spouse, partner, child, parent or sibling) or those family members who are wholly or substantially dependent on you and whose affairs are closely linked. Family interests refers only to interests that are known to the employee and that may reasonably raise an expectation of a conflict of interest.  **Findings of guilt:** Include convictions, fines associated with criminal charges, good behaviour bonds, undertakings and community-based orders, even where no conviction was recorded. It does not include a conviction under any prescribed spent convictions scheme.    **Public sector employee:** Includes a person employed under Part 3 of the *Public Administration Act 2004*, an executive officer or equivalent in the public service or core public sector (i.e. public entities such as public hospitals), or a person employed by or working for a public sector body head or non-departmental entity via an employment agency or contract. Excludes employees of universities and Victorian local governments. |

|  |  |  |  |
| --- | --- | --- | --- |
| **DECLARANT DETAILS** | | | |
| Full name: | | | |
| Position: **Member**  **Chairperson** | | | |
| Are you a public sector employee? **YES**  **NO** | | | |
| **If yes**:   * Is your position considered to be an executive officer or equivalent role? **YES**  **NO** * Is your position part-time or full-time? **Part-time**  **Full-time** * Is your appointment part of your employment as a public sector employee? **YES**  **NO** * If the appointment is to be undertaken **outside** of your duties as a public sector employee, has your employer indicated acceptance of these arrangement and confirmed in writing that there is no apparent conflict between the appointment and other duties? **YES**  **NO** | | | |
| Have you accepted a Victorian Public Sector Voluntary Redundancy Package in the last 3 years? **YES**  **NO**  **If yes**, what was your separation date? | | | |
| **SECTION A: PRIVATE INTERESTS** | | | |
| **A1: Other significant sources of income** | | | |
| Do you have income from any sources other than your main source of employment income relating to:   * contracts * offices held in return for payment or other reward * a trade, vocation or profession engaged in by you?   **YES**  **NO** | **If yes**, please provide details of this source of income (not the amount). | | **If yes**, explain how this income does or does not reasonably raise an expectation of conflict of interest or material interference with your public duties. |
|  | |  |
| **A2: Office holder** | | | |
| Do you hold office in any public or private:   * company * trustee company * incorporated association * other entity?   **YES**  **NO** | **If yes**, please provide the name of the organisation and the office you hold. | | **If yes**, explain how this office does or does not reasonably raise an expectation of conflict of interest or material interference with your public duties. |
|  | |  |
| **A3: Shareholdings and other business interests** | | | |
| Do you or does a member of your family have any shareholdings, investments or other business?  *This includes a company, partnership, association or other entity, as well as nominee shareholders on behalf of the agency in government companies.*  **YES**  **NO** | **If yes**, please provide details about the nature of the interest of all such holdings (not the amount). | | **If yes**, explain how these shareholdings or investments do or do not reasonably raise an expectation of conflict of interest or material interference with your public duties. |
|  | |  |
| **A4: Trusts** | | | |
| Are you:   * a beneficiary of any trust (If so, who is the trustee?) * the trustee of any trust * the director of a trustee company in which a member of your family is a beneficiary?   **YES**  **NO** | **If yes**, please provide details about the operations of the trust/s. | | **If yes**, explain how the operation of the trust/s does or does not reasonably raise an expectation of conflict of interest or material interference with your public duties. |
|  | |  |
| **A5: Real estate** | | | |
| Do you or a member of your family own any real estate (including your residence)?  **YES**  **NO** | **If yes**, please provide details about ownership, location and purpose of this property. | | **If yes**, explain how the ownership of this property does or does not reasonably raise an expectation of conflict of interest or material interference with your public duties. |
|  | |  |
| **A6: Agreements** | | | |
| Have you or a family member entered any contract, agreement or understanding that gives rise to:   * an obligation * an expectation of reward, e.g. an agreement about future employment once your appointment term is completed?   **YES**  **NO** | **If yes**, please provide details about the nature of this contract, obligation or agreement. | | **If yes**, explain how this contract, obligation or agreement does or does not reasonably raise an expectation of conflict of interest or material interference with your public duties. |
|  | |  |
| **A7: Other financial interests** | | | |
| Do you or a member of your family have any other significant financial or other interests of which you are aware, which could reasonably raise an expectation of a conflict of interest or material interference with your public duties? These include financial interests that have been held, are currently held or will accrue. (E.g. being a principal or key employee of a material professional adviser supplying services and interests in contracts, trusts or other business arrangements not covered in this declaration.)  **YES**  **NO** | **If yes**, please provide details of the financial interest (not the amount). | | **If yes**, explain how these financial interests do or do not reasonably raise an expectation of conflict of interest or material interference with your public duties. |
|  | |  |
| **A8: Other interests** | | | |
| Are there any other arrangements or circumstances not already covered to declare which could constitute a conflict of interest?  **YES**  **NO** | **If yes**, please provide details of these arrangements or circumstances. | | **If yes**, explain how these arrangements or circumstances of which you are aware do or do not reasonably raise an expectation of conflict of interest or material interference with your public duties. |
|  | |  |
|  | | | |
| **SECTION B: PROBITY** | | | |
| **B1: Bankruptcy** | | | |
| Have you been declared bankrupt or been the subject of any order under the *Bankruptcy Act 1966* (Cth)?  **YES**  **NO** | | **If yes**, please provide details. | |
| **B2: Insolvency** | | | |
| Have you been a director or executive officer of a corporation which became insolvent whilst you were a director or executive officer?  **YES**  **NO** | | **If yes**, please provide details. | |
| **B3: Disqualification** | | | |
| Have you ever been disqualified from acting as a director or acting in the management of an incorporated association?  **YES**  **NO** | | **If yes**, please provide details. | |
| **B4: Corporate and civil penalties** | | | |
| Have you ever:   * contravened any civil penalty provision under the *Corporations Act 2001 (Cth)* or its predecessors * contravened the *Associations Incorporation Reform Act 2012* or any equivalent in another jurisdictions * been found guilty of any offence in relation to corporate or regulatory matters?   **YES**  **NO** | | **If yes**, please provide details. | |
| **B5: Criminal and civil proceedings** | | | |
| Are you currently a party in any capacity in either criminal or civil proceedings before a:   * court * tribunal * other adjudication body, including a professional / registration / licensing body?   **YES**  **NO**  Do you expect to become a party to any such proceedings in the next year?  **YES**  **NO** | | **If yes**, please provide details. | |
| **B6: Findings of guilt** | | | |
| Has there ever been a finding of guilt against you for a criminal offence (except a conviction that is spent under any prescribed spent convictions scheme)?  **YES**  **NO** | | **If yes**, please provide details. | |
| **B7: Inquiries and investigations** | | | |
| To the best of your knowledge and belief, have you been, or are you currently, the subject of any inquiry or investigation, including those by:   * a department or agency of the Commonwealth * a department or agency of a State or Territory of Australia * a professional association * a regulatory agency * your current or a previous employer * a consumer protection organisation?   **YES**  **NO** | | **If yes**, please provide details. | |
| **DECLARATION** | | | |
| I declare that to the best of my knowledge, the information I have provided in Part A and Part B of this declaration is true and correct. I undertake to advise the trust chairperson/delegate in writing if an actual, potential or perceived conflict arises in the future and to stand down in any decision-making process in which I may be compromised. If there is any change to the interests set out in Part A or to the answers set out in Part B of this declaration I undertake to advise the trust chairperson/delegate of any alterations or additions to my declaration as soon as practicable. | | | |
| **Signature of declarant:** | | **Signature of witness:** | |
| **Name (please print):** | | **Name (please print):** | |
| **Date:** | | **Date:** | |
| **SECTION C: CHAIRPERSON/DELEGATE ASSESSMENT** | | | |
| **No conflict of interest risk identified**  *No further action unless there is a change of circumstance*  **Risk of conflict of interest identified**   **🡪 Complete Section D** | | **Signature of  chairperson/delegate:** | |
| **Name (please print):** | |
| **Date:** | |

|  |  |  |
| --- | --- | --- |
| **SECTION D: MANAGEMENT PLAN FOR CONFLICT OF INTEREST RISK** | | |
| **D1: Type of conflict of interest identified** | | |
| The following conflict of interest risk was identified (state the specific personal interest identified and detail how this raises an actual, potential or perceived conflict of interest): | | |
| **D2: Management plan for trust member’s conflict of interest** | | |
| The member and I will take the following action to manage the conflict of interest (suggested strategies below): | | |
| ***Restrict*** | *Restrictions are placed on the trust members’ involvement in the matter.* | |
| ***Recruit*** | *A disinterested third party is used to oversee part or all of the process that deals with the matter.* | |
| ***Remove*** | *The trust member removes themselves, or is removed, from the matter.* | |
| ***Relinquish or resign*** | *The trust member relinquishes the private interest that is creating the conflict. Where relinquishing the interest is not possible (e.g. relationship with family) and the conflict cannot be managed in the public interest using one of the other options above, the trust member may consider resigning.* | |
|  | | |
| **I will ensure this management plan is reviewed:**   |  |  |  | | --- | --- | --- | | Within 1 month | Within 3 months | Within 6 months | | Within 12 months | N/A as the conflict is a one-off of short duration | | | Other (specify): | | | | | |
| **DECLARATIONS (ONLY REQUIRED WHERE A CONFLICT OF INTEREST RISK IS IDENTIFIED)** | | |
| **Member declaration**  The actions described in Section C of the form have been put in place to effectively manage any actual, perceived or potential conflict of interest disclosed in Sections A or B. I undertake to adhere to any conflict of interest risk management plan set out in Section C, which is in place to ensure DH’s reputation and the public interest is adequately protected. | | **Chairperson/delegate declaration**  The actions described in Section C of the form have been put in place to effectively manage any actual, perceived or potential conflict of interest disclosed in Sections A or B. I undertake to adhere to any conflict of interest risk management plan set out in Section C, and to monitor adherence to the management plan, which is in place to ensure DH’s reputation and the public interest is adequately protected. |
| **Signature of member:** | | **Signature of  chairperson/delegate:** |
| **Name (please print):** | | **Name (please print):** |
| **Date:** | | **Date:** |