Conflict of Interest Declaration and Management Plan

For Procurement Activities

# Part A: Key Information

### Definitions

“**Conflict of interest**” means any actual, potential or perceived conflict between a person’s public duties and private interests, whether financial or non-financial and direct or indirect in nature.

“**Organisation**” means [insert legal entity name], ABN [ABN].

“**Procurement**” means the procurement activity or contract listed in Section 2 of Part B.

“**You**” means the employee, contractor or consultant listed in section 1 of Part B.

### Purpose

This form is to be completed by all members of a procurement evaluation team, at the start of their involvement and at any time new procurement-related conflicts arise or are likely to arise. Depending on your role, you may also need to complete other forms such as an annual Declaration of Private Interests (DOPI). Refer to your organisation’s conflict of interest policy for further details.

In accordance with the [Codes of Conduct - VPSC](https://vpsc.vic.gov.au/ethics-behaviours-culture/codes-of-conduct/) and [Supplier Code of Conduct](https://www.buyingfor.vic.gov.au/supplier-code-conduct), employees and suppliers must avoid conflicts of interest wherever possible. Where a conflict (actual, potential or perceived) exists it must be properly identified and declared, and effectively and transparently managed.

### Use of Information

The Organisation treats all personal information provided within a declaration in accordance with the *Privacy and Data Protection Act 2014* (Vic), *Public Records Act 1973* (Vic) and the *Charter of Human Rights and Responsibilities Act 2006* (Vic). This information will be stored in a restricted location, used for the purpose described above and may be shared with other relevant parties, including other public entities or contractors, in line with that purpose or as required under law.

### Instructions

Fill out the details in Part B, then sign your declaration and send it to the relevant manager (usually your line manager) to complete Part C. If any conflicts are identified, this manager will also complete Part D and advise you of any impacts or actions.

# Part B: Declaration

### Personal Details

Details of the person making the declaration:

|  |  |  |  |
| --- | --- | --- | --- |
| Name | Job Title | Email | Phone |
| [Insert] | [Insert] | [Insert] | [Insert] |

### Procurement Details

Details of the procurement activity or contract the declaration relates to:

|  |  |
| --- | --- |
| This declaration relates to: | [Insert contract name and ID if known, or describe] |
| My role is: | [ ]  Procurement / Project Lead[ ]  Contract / Delivery Manager[ ]  Financial delegate / Approver | [ ]  Evaluator / Assessor[ ]  Subject Matter Expert[ ]  Other (please specify): |
| Further details (if required): |  |

### Declaration

I declare that as of the date of signing:

|  |
| --- |
|[ ]  I do not have any matters which may give rise to a Conflict of Interest.***Note:*** before ticking this box, make sure to consider ALL matters that could reasonably result in an actual, potential or perceived conflict, whether direct or indirect and financial or non-financial in nature. Private interests may for example include (as relevant) personal or working relationships, past or present outside employment (including secondment arrangements), ownership of property or shares, legal claims or proceedings, gifts, benefits or hospitality, participation in social or cultural activities, political affiliations or activities, and etc. For further information, see [Examples of conflicts of interest - VPSC](https://vpsc.vic.gov.au/ethics-behaviours-culture/conflict-of-interest/examples-of-conflicts-of-interest/) and [Victorian Public Service (VPS) procurement - VPSC](https://vpsc.vic.gov.au/ethics-behaviours-culture/conflict-of-interest/strategies-and-checklist-for-organisations/conflicts-of-interest-in-procurement-victorian-public-service-vps/). |
|[ ]  I have matters which may give rise to a Conflict of Interest, as follows: |
|  | [Describe in detail]  |

I declare that the information above is correct and complete, to the best of my knowledge, as of the date this declaration is signed. I declare that I will promptly communicate any new or changed conflicts that may emerge after this date and acknowledge that failing to do so may constitute a material breach of the Codes of Conduct and/or contract terms between me and the Organisation.

|  |  |  |
| --- | --- | --- |
|  |  |  |
| Signed |  | Dated |

# Part C: Manager Review

***Agency instructions***: conflict of interest declarations should be reviewed and signed even if no conflicts are declared. Usually, this is done by the line manager, but in some cases, the procurement or project lead may fill this role instead. The manager review and plan should be completed within five business days of receipt of the signed declaration and before any decisions are made by the employee which may be impacted by a declared conflict. Always refer to your organisation’s COI policy, or the VPSC guidance if your organisation doesn’t have a COI policy.

### Manager Details

Details of the person reviewing the declaration:

|  |  |  |  |
| --- | --- | --- | --- |
| Name | Job Title | Email | Phone |
| [Insert] | [Insert] | [Insert] | [Insert] |

### Governance

Details of the reviewer’s capacity to assess the declaration:

|  |  |
| --- | --- |
| [ ]  Line Manager[ ]  Procurement / Project Manager | [ ]  Other (please specify): |

### Assessment

As an authorised and independent reviewer, I have made the following assessment:

|  |
| --- |
|[ ]  No Conflicts of Interest were declared AND to the best of my knowledge, none exist. |
|[ ]  The matters outlined in the declaration do not result in a Conflict of Interest. |
|[ ]  The matters outlined in the declaration result or may result in a Conflict of Interest which is to be managed in accordance with **Part D (Conflict of Interest Management Plan)**. |

I have made this assessment on the following basis:

|  |
| --- |
| [Insert] |

I declare that I have prepared this assessment with due care and independence, in accordance with policy and with the expectations of my role, and that I am not aware of any other matters which should have been declared or which may improperly influence my review.

|  |  |  |
| --- | --- | --- |
|  |  |  |
| Signed |  | Dated |

# Part D: Conflict of Interest Management Plan

### Scope and Term

This Conflict of Interest Management Plan applies as of the date it is communicated and continues for the full duration of the procurement unless agreed otherwise in writing.

The matters identified in Part B are to be managed as follows:

|  |
| --- |
| **Management Strategy (select one or more)** |
|[ ]  **Record** | The conflict will be recorded, monitored and communicated on a “need to know” basis. Further actions may be required if the situation changes. |
|[ ]  **Restrict** | Restrictions are placed on the person’s involvement in the matter. |
|[ ]  **Remove** | The person removes themself, or is removed, from the matter. |
|[ ]  **Recruit** | An independent third party is to oversee all or part of the person’s involvement. |
|[ ]  **Relinquish** | The person relinquishes the private interest. If the person is not willing or able to do so, the Organisation will consider other means of resolving the conflict. |
| **Details:** |
| [insert] |

### Agreement

I have read and understood this plan and agree to manage the conflict as set out above. I agree that I will promptly communicate and seek further advice if any new or changed conflicts emerge.

|  |  |  |
| --- | --- | --- |
|  |  |  |
| Signed |  | Dated |
|  |  |  |
| Name |  | Title |

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