

Senior Executive Private Interest Disclosures

The content of this policy has been adopted from the Department of Industry policy INDP176, authorised by the Secretary on 30/09/2015. The words in blue text are the LLS additions to this policy.

DOCUMENT NUMBER	DOC18/127762	VERSION	1
ADOPTED BY	LLS BOARD	ADOPTED DATE	30/09/2014
LLS CONTENT APPROVED BY	LLS BOARD CHAIR	APPROVED DATE	11/10/2018
	CHIEF EXECUTIVE OFFICER	APPROVED DATE	02/10/2018
STEWARD	CHIEF EXECUTIVE OFFICER	ISSUED DATE	25/10/2018
CATEGORY	PEOPLE, ETHICS AND CONDUCT	REVIEW DATE	25/10/2021

Policy Statement

As a NSW Government employee you must act in ways that are lawful, ethical and build trust in the public sector. The *Code of Ethics and Conduct for NSW Government Sector Employees* identifies mandatory requirements and best practice conduct for all government sector employees which is consistent with Part 2 of the GSE Act (the Ethical framework for the government sector).

A Senior Executive (including an acting Senior Executive) is required to make an annual written declaration to the [Local Land Services Chief Executive Officer](#) of private financial, business, personal or other interests or relationships that have the potential to influence, or could be perceived to influence, decisions made or advice given by the Senior Executive.

Where a Senior Executive has no such private interests to declare, they must declare a “nil return”. The departments' Code of Conduct details requirements and advice specific to its operating environment and business risks and both Codes must be read together.

Scope

This policy applies to:

- all [LLS Senior Executives](#) (including Senior Executive Service members)
- non Senior Executives who are acting in a Senior Executive role for 6 months or more
- office holders whose remuneration is equivalent to Senior Executive, including the Chair of Local Land Services

Requirements

1. The Private Interests declaration must be completed annually by the persons listed above via the [LLS Private Interest Declaration Form](#).
2. The declaration is reviewed by the [LLS CEO](#).
3. A Senior Executive is still required to complete a Conflict of Interest declaration form if a change occurs in their private interests that creates an actual, perceived or potential conflict that could influence decisions made or advice given, before they are due to complete their annual declaration.
4. Senior Executives are encouraged to discuss their private interests with their supervisors at the time of declaration and prior to the commencement of any new programme or project of works.
5. The requirement to complete a Private Interests Declaration is included in letters of employment, including acting for longer than 6 months.

What is a private interest?

The types of interests and relationships that may need to be disclosed include real estate investments or holdings; shareholdings; trusts or nominee companies; company directorships or partnerships; other significant sources of income; significant liabilities; and private business, employment, voluntary, social, family or personal relationships.

Roles and responsibilities

LLS Chief Executive Officer

The **CEO** is required to complete an annual Private Interests declaration using the [FSO Portal] Code of Conduct Form. This declaration is provided to the Secretary of the Department of Industry. The **CEO** is also required to complete a Conflict of Interest declaration using the Code of Conduct form if a change occurs in their private interests that creates an actual, perceived or potential conflict that could influence decisions made or advice given, before they are due to complete their annual declaration to the Secretary.

The **CEO** must review and annually attest that all **LLS** Senior Executives have completed a Private Interests declaration. The handling and storage of declarations must comply with the requirements of the Privacy and Personal Information Protection Act 1998.

Senior Executives and Equivalent Office Holders

After a Senior Executive makes an initial Private Interests declaration using the **LLS Private Interest Declaration** Form, a fresh declaration must be made as soon as practicable, following the Senior Executive's assignment to a new role or responsibility.

If a Senior Executive identifies an actual, perceived or potential conflict they are responsible for identifying the type of risk, informing their supervisor and implementing the required management action to minimise or eliminate the risk.

A Senior Executive is required to complete a Conflict of Interest declaration using the **LLS Conflict of Interest Declaration** form if a change occurs in their private interests that creates an actual, perceived or potential conflict that could influence decisions made or advice given, before they are due to complete their annual declaration.

LLS Policy Steward

The Policy Steward is a Local Land Services Senior Executive whose role is to oversight the effectiveness of the application of the policy across the agency, and report to the relevant Board Committee to enable them to monitor policy effectiveness.

- Chief Executive Officer

Delegations

GSE Act: Government Sector Employment Act 2013

Senior Executive: Persons employed in the cluster as executives under the GSE Act or office holders whose remuneration is equivalent to GSE executives.

Legislation

Public Service Commissioner Direction No 1 of 2015 under the Government Sector Employment Act 2013

Privacy and Personal Information Protection Act 1998

Related policies

- Code of Conduct
- Code of Ethics and Conduct for NSW Government Sector Employees
- Conflicts of Interest
- Private or Secondary Employment

Other related documents

Behaving Ethically – A Guide for NSW Government Sector Employees

Superseded documents

N/A

Revision history

NUMBER IND-P-176
AUTHORISED BY Secretary
ISSUED BY Corporate Strategy

VERSION 1
AUTHORISED DATE 30/09/2015
EFFECTIVE DATE 30/09/2015

Version	Date issued	Notes	By
1	30/09/2015	New policy in response to Public Service Commissioner Direction No 1 of 2015 under the Government Sector Employment Act 2013.	Manager Corporate Governance

Contact

Office of the CEO