Appendix 1: Definitions

| Term | Definition |
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| Actual conflict of interest | There is a real conflict between your public duties and private interests. |
| Close relationship | Includes (but is not limited to) parent/child relationship, husband/wife/partner relationship, brother, sister, son, daughter, step-son, step-daughter, parent, grandparent, uncle, aunt, nephew, niece, cousin or similar relationships arising by marriage or de facto or by other living arrangements, friend, neighbour, business or community associate, enemy, teacher/coach/tutor/student relationships. |
| Conflict of interest | A conflict of interest is a conflict between your **personal** or private interests, and public or official duties or responsibilities. Conflicts of interest can be **actual**, **potential** or **perceived**. |
| Contractor | A contractor or consultant that is required by their terms of engagement or a direction by the VCAA to comply with this policy or VCAA policies generally. This will include (but is not limited to) all contractors/consultants covered by Clause 1.4 of the VPSC *Code of Conduct*:  *“Public sector employers are to require contractors or consultants engaged in or by their public body (including contractors or consultants engaged through an employment agency) to comply with this Code of Conduct and relevant policies and procedures, where the contractors or consultants:*   * *supervise public sector employees;* * *undertake work that is of a similar nature to the work* * *undertaken by public sector employees at a premise or location generally regarded as a public sector workplace; or* * *use or have access to public sector resources or information that are not normally accessible or available to the public.”* |
| Non-pecuniary interests | Does not have a financial component.  May arise from personal, friend, family or associate relationships, or involvement in sporting, social or cultural activities.  Include any tendency toward favour or prejudice resulting from friendship, animosity or other personal involvement with another person or group.  Any personal involvement that could bias an employee’s judgement or decisions even though there is no financial gain or loss to them or someone whom they wish to benefit or disadvantage. |
| Pecuniary interests | Involves an actual or potential financial gain or loss, though money does not need to change hands.  Such an interest could be ownership of property, holding shares, unpaid debts, having a position or other connection with a company bidding for government work, receiving benefits such as concessions, discounts, gifts or hospitality, outside employment and private business activities.  Includes pecuniary interests of family, friends and associates, someone an employee wishes to benefit or disadvantage. |
| Perceived conflict of interest | The public or a third party could form the view that your private interests could improperly influence your decisions or actions, now or in the future.  Also referred to as *apparent conflicts of interest*. |
| Potential conflict of interest | You have private interests that could conflict with your public duties. This refers to circumstances where it is foreseeable that a conflict may arise in future and steps should be taken now to mitigate that future risk. |
| Private interests | Anything that can influence you. Private interests include **direct interests**, such as your own personal, family, professional or business interests, as well as **indirect interests**, such as the your personal, family, professional or business interests or groups with whom you are, or was recently, closely associated.  Private interests may be **pecuniary** (i.e. financial), which includes any actual, potential or perceived financial gain or loss, as well as **non-pecuniary**, which includes any tendency toward favour or prejudice resulting from personal or family relationships, such as friendships, enemies or sporting, cultural or social activities.  Also referred to as *personal* interests. |
| Public (or official) duty | The duty of all public sector employees always to put the public interest above their private interests when carrying out their official duties. |
| Public interest | The interest of the community as a whole, the collective interest of the entire community, not the sum of individual interests nor the interest/s of a particular group. Acting in the public interest encompasses obligations in regard to administration, ethics and performance, in accordance with the principles and values encompassed in the *Public Administration Act*. |
| VCAA Staff | Includes anyone engaged by the VCAA (whether paid or unpaid, employee, honorary or volunteer), Department of Education and Training (**DET**) staff undertaking work or an activity for VCAA, and contractors. |