

**BOARD OF THE QUEENSLAND MUSEUM**  
**CODE OF CONDUCT**

## **STATEMENT OF APPROVAL**

This Code of Conduct of the Board of the Queensland Museum is approved by me, pursuant to Section 17 of the Public Sector Ethics Act 1994.

Signed:       The Honourable Anna Bligh MLA  
                  Minister for Education and the Arts

Date           1 July 2004

## FOREWORD

The functions and powers of the Board of the Queensland Museum are documented in the *Queensland Museum Act 1970* and the *Arts Legislation Amendment Act 2003*. The Board is also a 'public sector entity' as defined by the *Public Sector Ethics Act 1994*. As a Board and as individual Board members we have an overriding obligation to act in the public interest as we carry out our designated role.

Key dimensions of the public interest are defined under five obligations contained under the *Public Sector Ethics Act*, as follows:

- respect for the law and system of government
- respect for persons
- integrity
- diligence
- economy and efficiency

The obligations reflect community expectations that as a Board we will:

- implement in good faith the decisions, laws and policies of an elected government
- model honesty, fairness and respect in all our interpersonal dealings as Board members
- act with integrity and not place our interests before our duty to the public
- exercise due care and sound judgement in making decisions on matters before the Board
- ensure in our actions and decisions that Museum resources are used wisely and economically.

This Code of Conduct is designed to assist Board members to make sound, everyday decisions that incorporate the key dimensions of the public interest as *it relates specifically to the work of the Board*. The Code will also assist us in making more complex decisions for matters involving conflicting interests, or where there are competing views about what "the public interest" requires. A decision-making model is provided in Section 2 for these complex matters.

This Code will also apply in an administrative context, to all Queensland Museum Board Sub-Committees including Campus Management Advisory Committees.

As Chair of the Board of the Queensland Museum it is my role to ensure that our Code is implemented according to the requirements of the Public Sector Ethics Act. I commend the Code to you as an important and practical resource to assist us in making sound, balanced and defensible decisions.

**Anne Jones**

*Chair*

Board of the Queensland Museum

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**SECTION 1**  
**CODE OF CONDUCT**

## **1. RESPECT FOR THE LAW AND SYSTEM OF GOVERNMENT**

Under the Westminster system the government of the day is given a mandate by the people to make laws and policies which are in the interests of the public (ie in the “public interest”). As individual officials we are obliged to implement, both to the letter and the spirit, the laws and policies of the elected government and the Minister.

Section 7 (1) of the *Public Service Ethics Act 1994* states that

“A public official should –

1. uphold the laws of the State and Commonwealth; and
2. carry out official public sector decisions and policies faithfully and impartially”.

### **1.1 Knowledge of legislation and policy**

Board members must ensure a sound knowledge of and comply with the legal framework covering the Board's operations (ie the *Queensland Museum Act 1970* and the *Arts Legislation Amendment Act 2003*) and should also be conscious of broader issues in relation to the public interest. Wider legislative issues may include but are not limited to questions of occupational health and safety, industrial relations, equal employment opportunity, anti-discrimination, competition and consumer protection, whistleblower protection and the environment.

Board members should also be mindful of the existence of Government and Museum policies. Directives given by the Board are to be consistent with any relevant legislation and policies, this Code of Conduct and the Code of Conduct applying to the Queensland Museum.

Board members are to familiarise themselves with the Governing Queensland document *Welcome Aboard: A Guide for Members of Queensland Government Boards, Committees and Statutory Authorities* for guidance and summary information on key statutory obligations.

### **1.2 Criminal charges and convictions**

A Board member who is charged with an indictable offence, or convicted in court of any offence, will immediately notify the fact and circumstances of the charge or conviction in writing to the Minister. Board members are not entitled to withhold this information on the basis of a belief that the charge or conviction is not relevant to their role as a Board member.

## **2. RESPECT FOR PERSONS**

Public officials perform functions which are funded from the public purse and are therefore expected to be fair, courteous and responsive to all people with whom they have official dealings.

Section 8 of the *Public Sector Ethics Act* states that –

1. “A public official should treat members of the public and other public officials –
  - a) honestly and fairly; and

b) with proper regard for their rights and obligations.

2. A public official should act responsively in performing official duties”.

### **2.1 Personal Conduct**

Board members will engage in the highest standards of personal conduct in undertaking official duties, and in any dealings which could be perceived to be official. Board members will show courtesy and respect to all people with whom they have official dealings, including Museum staff and members of the public.

### **2.2 Due consideration to alternative views**

Board members will give due consideration to the input of fellow Board members, in recognition that a diversity of views leads to high quality decision-making.

### **2.3 Advice provided by Museum officials**

The Board will expect, encourage and give due account to frank and fearless advice provided by Museum officials.

#### **EXAMPLE**

A Queensland Museum officer has been invited to a meeting of the Board to provide advice on a risk management proposal for insurance purposes. An outline of the proposal has been included in Board papers. Prior to the officer’s attendance at the meeting, there is general agreement that the proposal involves unnecessary bureaucracy and expense.

Analysis: The issue from a respect for persons perspective is the management of interacting with and receiving advice from public officers who:

(a) may reasonably have a different frame of reference from that of Board members; and

(b) may feel intimidated by the power and authority of the Board.

Resolution Under 2.1 it is important that the officer and their report be treated with due respect despite the initial negative reaction to their proposal. Under 2.3 the Board is obliged to be open minded to the case which the officer presents. It may transpire that there is merit in the proposal which does not become evident until there is an opportunity for fuller discussion.

### **2.4 Safety, health and welfare**

The Board will ensure that any decisions and actions it takes uphold the Museum’s duty of care for staff and others under the *Workplace Health and Safety Act 1995*.

Individual Board members will take reasonable steps to ensure their own safety, health and welfare



and to act in ways that protect the safety, health and welfare of all other people in the workplace.

## **2.5 Procedural fairness (“natural justice”)**

Where the Board is in a position to make decisions that could adversely affect an employee, contractor or other Museum stakeholder, procedural fairness will be applied.

Procedural fairness includes –

- Giving the person who may be adversely affected an opportunity to fully state their case before a final decision is made, and ensuring that the person’s input is taken into account in any final decision.
- Giving the person an explanation of the basis for the decision.
- Ensuring that the decision is factually based, fair and equitable and is not influenced by personal bias on the part of any member of the Board.
- Providing the person adversely affected with information on rights of appeal, grievance or complaint mechanisms and any time limits that apply.

## **2.6 Conduct away from Museum premises and at official functions**

When representing the Museum away from Museum premises and at official functions appropriate conduct is called for at all times.

Examples of inappropriate conduct include –

- Comments critical of the Museum or Museum staff, the Arts Portfolio, the public sector or the government.
- Inappropriate or discriminatory comments or discussion of inflammatory or controversial topics where offence is possible.
- Excessive alcohol consumption.

## **3. INTEGRITY**

The integrity obligation is about ensuring public, stakeholder and client confidence in the Museum by setting standards of conduct. These standards assist to ensure that our actions, conduct and relationships do not raise questions about our willingness to serve the government of the day in a politically and ideologically non-partisan manner; that we use official powers, influence, resources and information properly and not for personal or other improper advantage; and that we maintain proper confidentiality of official information. The standards contained in our Code ensure that the Museum, in both substance and public image, is an organisation that is deserving of public trust.

Section 9 of the *Public Sector Ethics Act* is as follows –

- 1) “In recognition that public office involves a public trust, a public official should seek –
  - (a) to maintain and enhance public confidence in the integrity of public administration; and
  - (b) to advance the common good of the community the official serves.
- 2) Having regard to the obligation mentioned in subsection 1), a public official –
  - (a) Should not improperly use his or her official powers or position, or allow them to be improperly used; and
  - (b) Should ensure that any conflict that may arise between the official’s personal interests and official duties is resolved in favour of the public interest; and
  - (c) Should disclose fraud, corruption and maladministration of which the official becomes aware”.

### **3.1 Conflict of Interest**

In contributing to decisions and actions taken by the Board, Board members will act honestly, in good faith and in the best interests of the Board, the Museum as a whole, the State and the community. Board members will not allow personal interests or the interests of any associated person to conflict with the public interest, including the interests of the Museum. Where such a conflict exists it will be resolved in favour of the public interest.

An “apparent” conflict of interest exists if a person perceives a conflict which is not there. For example, a Board member may have an interest in a company that deals with the Museum but has properly declared their interest and withdrawn from the decision-making process.

A “potential” conflict exists if a private interest is taken further. For example, a Board member who is to participate in selecting a supplier may be invited to a function sponsored by the supplier.

An “actual” conflict occurs when an interest would be considered by a reasonable person, possessing all relevant facts, to conflict with public duty. This would occur, for example, if a Board member with a financial interest in a supplier continued to participate in purchasing decisions relating to the supplier.

An apparent, potential or actual conflict of interest can be distinguished from acting on the conflict, in order to favour a person or organisation with whom there is a private interest (which would constitute official misconduct).

Where an apparent, potential or actual conflict precludes, or could be perceived to preclude, an independent position on an issue, the conflict of interest must be disclosed fully to the Board as soon as practicable after the Board member becomes aware of the relevant facts. It is the role of the Board to resolve the conflict of interest. Depending on the nature and circumstances of the conflict, the Board may –

- Take action to ensure that the relevant Board member does not have access to Museum

information which is relevant to the conflict.

- Direct the Board member to absent themselves from all meetings which involve discussion or decision-making relevant to the matter which is the subject of the conflict.
- Take steps to ensure that deliberations of the Board are not directly or indirectly influenced by the conflict.
- Consider that the member's input is necessary to decision-making and so receive the member's input while bearing in mind the conflict which has been disclosed.

Disclosure of a Board member's interest should be recorded in the minutes of the Board and reported to the Minister as soon as possible after the meeting.

The Board will comply with Sections 32 and 33 of the Queensland Museum Act in the management of direct and indirect interests in matters being considered, or about to be considered, by the Board.

#### **EXAMPLE**

The Board is considering contractual arrangements with a particular publishing company, one of the directors of which is a Board member.

**Analysis:** Firstly, under Section 32 of the *Queensland Museum Act 1970* there is an obligation on the part of the Board member to disclose their interest in the company before their participation in any discussion of financial dealings. Secondly, once the conflict of interest is known it must be managed by the Board. Thirdly, under the circumstances there is a potential issue of disclosure of information under 3.4 of this Code.

**Resolution:** The Board must make a judgement whether to exclude the member from being present at discussions on financial and other arrangements with the company in question. The issue of disclosure of information may also need to be managed, for example by clearly defining what information is confidential.

Board members may seek confidential advice from the Integrity Commissioner in relation to conflicts of interest. (See the relevant section of *Welcome Aboard: A Guide for Members of Queensland government Boards, Committees and Statutory Authorities*.)

### **3.2 Declaration and Registration of Interests**

The integrity of the Board and Board members is protected from criticism by placing personal interests on the record in advance of decisions being made. To this end there is a routine annual registration of financial and other interests which could constitute a basis for conflict of interest. Registration requires Board members to register their personal and immediate family interests, pecuniary and otherwise, which are significant and relevant to the functions of the Museum.

The registration form is shown in Appendix 1 of this Code. The form is to be lodged with the

Minister on an annual basis.

Decision-makers appointed under the *Freedom of Information Act 1992* will take note of the exemption provisions of that Act when considering any application by a third party for access to Registration of Personal Interests declaration documents.

### **3.3 Gifts and Benefits**

It is a condition of appointment under Section 11 of the *Queensland Museum Act 1970* that a member is not entitled to receive any payment or other valuable consideration or benefit except as decided by the Governor in Council. Board members shall therefore not seek any form of reward for their work beyond usual fees and allowances.

Monetary gifts are not to be accepted under any circumstances.

In relation to non-monetary gifts, Board members will follow the principles and procedures outlined in the Queensland Government *Gifts and Benefits Policy*. The overriding ethical principle is that a gift of any nature must not call into question the integrity of the Board or Board members. No gift may be accepted, regardless of monetary value, if acceptance would potentially raise questions of obligation towards the donor or if the gift by its nature would be inappropriate. (Hospitality including the services of an escort agency would be an example of this.) In these circumstances a gift must be politely refused and an explanation provided in the context of this Code to avoid offence to the person offering the gift.

All discussions relating to the offer of gifts to Board members and acceptance of gifts by Board members are to be recorded in Board Minutes.

### **3.4 Disclosure of official information**

Board members will not improperly disclose official information acquired through membership of the Board. This prohibition applies irrespective of whether the Board member would directly or indirectly gain a personal advantage or advantage for an associated person, and irrespective of whether detriment would be caused to the Museum.

### **3.5 Disclosure of personal information for official purposes**

Board members will ensure compliance with the Museum's *Privacy Plan* in providing any personal information for official purposes.

A Board member who is involved in initiating and/or giving information for any type of enquiry will ensure that any information provided is strictly accurate. A Board member is not to withhold information which is relevant to an enquiry.

### **3.6 Use of influence to secure advantage**

Board members will not take advantage of their position, influence or connections to improperly influence any decision or to gain advantage for themselves or another person.

Board members will also ensure that no person within or external to the Museum is able to

improperly influence Board decision-making or circumvent due process within the Museum.

Board members will not seek to advantage any particular part of the Museum over any other part, nor allow themselves to be a vehicle for undue influence by a particular employee of the Museum.

#### **EXAMPLE**

A person who occupies an influential position within the business community wishes to donate a painting of their original family company building, which was constructed in Queen Street in 1950. The donor has, in the past, made some donations of significant historic and financial value.

On this occasion the donor insists on a restriction that the painting be placed on permanent display in the Boardroom. Advice from Conservation staff indicates that light and temperature levels would be unsuitable for long-term display and that costs to accommodate the request would be significant. Given the value of the painting it is recommended that the Museum Board refuse the offer of the gift.

**Analysis:** The situation must be managed in terms of the public interest. On one hand the acceptance of unreasonable restrictions places the Queensland Museum at risk of both external and internal accusations that a private citizen has been allowed to exert improper influence. On the other hand, it is possible that the needs of Queensland Museum clients may be better served overall by nurturing the goodwill of this particular donor (as per 5.4 "Intangible Resources").

A further consideration is the Museum's duty of care for the health and safety of Boardroom users who may be adversely affected by, for example, changes to lighting levels. Additionally, retaining the goodwill of the donor must be balanced against retaining the goodwill of staff, who may question the ethics of any Board decision to accept the restrictions.

**Resolution:** The issue of undue influence would be resolved if more feasible alternatives could be negotiated (eg substituting the original painting with a print; agreeing on more limited display time, such as the company's jubilee year). If the donor continues to insist on the restrictions, the dilemma must be resolved in favour of what, on balance, is most in the public interest. Because such an issue has the ability to place the integrity of the Board in question, it may also be important for the Board to be proactive in managing the perceptions of potentially interested parties.

### **3.7 Public comment on Government policy and administration**

As private citizens Board members generally have the same right as any members of the community to make public comment about political and social issues. However, in their official capacity, Board members must observe proper protocol when making comment in relation to issues pertaining to the Museum.

If the need to make comment is anticipated, Board members should seek assistance from appropriate members of staff who can provide briefing notes.

If requested to comment without notice, comments should be restricted to the Board's known public

position on the issue. Information should not be disclosed on matters which the Board has not yet resolved, or which the Minister has not yet approved.

Board members should not publicly pre-empt the outcomes of unresolved matters and should not contradict the policies of the elected government.

Within Board meetings, members can expect to freely and frankly explore the implications of government decisions. The contents of such discussions are not to be disclosed outside of the Board.

### **3.8 Communication with Ministers and Members of Parliament**

Board members will observe the following protocol when communicating with Ministers, so that they are well briefed on the issues to be discussed and the Museum's communications are co-ordinated for optimum efficiency and effectiveness.

Board members' appointments with Ministers and senior government officials are to be cleared beforehand with the Queensland Museum Director so that appropriate briefing notes can be arranged, and items to advance particular Museum matters can be added to the agenda, if desirable. Board members are to report on the outcomes of such meetings at the next meeting of the Board.

### **3.9 Party-political, professional and trade union activity**

Board members will ensure that any party-political, professional or trade union activity does not impose an ongoing conflict with the interests of the Museum.

### **3.10 Other employment**

Board members should ensure that other employment in which they may be engaged does not impose an ongoing conflict of interest which will interfere with the ability to participate in Board decision-making. Board members should also ensure that other employment is consistent with the need to prepare for and attend monthly Board meetings.

### **3.11 Testimonials, referee and selection reports**

When providing any official reference, Board members will take care that the information provided is accurate and can be substantiated.

### **3.12 Intellectual property and copyright**

The Board is accountable to ensure that intellectual property and copyright restrictions are not breached through any action or decision of the Board. Where the Board is considering the use or potential use of materials to which such restrictions may apply (for Museum publications, for example) reasonable action should be taken to ensure that no breach of restrictions occurs.

### **3.13 Public information services networks**

Where applicable Board members will apply the principles contained in the Museum's *Internet Usage Policy* to all public information services networks.

Board members will not deliberately access, store or forward information where this may be contrary to, or result in actions contrary to –

- The provisions of State and Commonwealth legislation
- Stated Queensland Government policies
- This Code of Conduct.

Board members will ensure that their lawful private activities on public services networks are not identified with the Queensland Government, especially where those activities may damage public confidence in the integrity of public administration.

### **3.14 General promotional and commercial activities**

The Board is to ensure that any commercial business or sponsorship which it authorises will maintain the Museum's good repute. Commercial support and sponsorship should be consistent with the standards, goals and integrity of the Museum. Queensland Museum policy on naming rights will be followed where applicable.

### **3.15 Obligation to disclose fraud, corruption and maladministration**

Board members are to disclose fraud, corruption and maladministration by using processes which mirror as closely as possible those contained in the Museum's Whistleblower Protection Policy. Judgement will be required on appropriate action in the circumstances of the individual case. However, as a general rule the Chair of the Board is an 'appropriate entity' to receive disclosures under the Whistleblowers Protection Act 1994. Members of the Board should familiarise themselves with the provisions of this Act.

As a general indicator:

- 'Fraud' is gaining a benefit by deception;
- 'Corruption' is the misuse of an official position to procure a benefit for yourself or another party; and
- 'Maladministration' is unlawful administrative action which is arbitrary, unjust, oppressive or improperly discriminating, or administrative actions taken for improper purposes.

## **4. DILIGENCE**

As public officials we have an obligation to the taxpayer to provide a fair day's work, to exercise good judgement and to fulfil our duties as competently as possible. This includes ensuring that we do not expose the Museum to claims of negligence, or compromise the value of Museum assets.

Section 10 of the *Public Sector Ethics Act* states that –

"In performing his or her official duties, a public official should –

- (a) exercise proper diligence, care and attention; and
- (b) seek to achieve high standards of public administration”

#### **4.1 Diligence, care and attention in undertaking Board functions and powers**

Board members have a fiduciary duty to use due care and diligence in fulfilling the functions of office and exercising the powers attached to the Board. Board members are obliged to be independent in judgement and actions, and to take all reasonable steps to be satisfied as to the soundness of all decisions taken by the Board. The exercise of diligence by individual members and the Board as a whole includes, but is not limited to, the following:

- Acquiring knowledge about, and maintaining an active interest in, the business and strategic direction of the Museum and the legislative framework in which it operates; the statutory and regulatory requirements of the Board; and broader issues affecting the public interest as it pertains to the Museum.
- Ensuring attendance at Board meetings and any meetings of Board sub-committees.
- Thoroughly preparing for Board meetings by allowing adequate time to read Board papers and flagging matters that require clarification.
- Raising concerns where insufficient time has been allocated to allow proper consideration of all relevant issues (either because of the timeframe for the distribution of Board papers or the number of matters to be considered).
- Requesting that the Board seek additional information, including expert and independent legal and financial advice where necessary to make reasoned judgements.
- Not agreeing to an agenda item being closed while there are still matters of substance outstanding.
- Raising any matter of concern that comes to attention and ensuring that the Museum and the Board are not exposed to adverse consequences (eg. legal action) due to the Board's actions or failure to act.
- Ensuring that the value of Museum assets is not compromised.
- Taking reasonable steps to ensure the confidentiality of information which is stored or transmitted in any form.

#### **EXAMPLE**

The Board has commissioned for sale a publication called "Queensland Cuisine". The publication traces the eating trends of north-eastern Australians from pre-settlement days until the present. The content is provided for Board information prior to publication.

A Board member, conscious of their duty to read documentation on matters before the Board, is concerned about a chapter titled "Bush Tucker Comes in from the Wilderness". The chapter gives locations, descriptions, and some photographs of wild fruits, seeds and fungi claimed to be used in



modern cuisine. The Board member is concerned at potential health and legal issues, for example in the event of accidental poisoning of a person consuming wild food under the book's guidance.

**Analysis:** It is incumbent upon individual Board members as well as the Board as a whole to exercise diligence in decision-making.

**Resolution:** Whether or not the issue is addressed by other Board members, the Board member concerned should raise the issue of potential risk to the public interest or legal risk to the Board. The Board member may request that the Board seek legal or other expert advice in order to clarify whether such risks exist. It is the duty of other Board members to exercise their own duty to be diligent by ensuring that reasonable concerns are properly considered in decision-making. Board members should also be mindful of their respect for person's obligations under 2.2 of this Code by giving due consideration to the Board member's views.

## **4.2 Comments to the media**

Comments to the media about Board matters are to be made through the Chair or the Director. If this is not possible (eg due to their unavailability), a Board member who is knowledgeable on the matter may comment if given clearance to do so beforehand by the Deputy Director and Manager Corporate Public Relations.

## **5. ECONOMY AND EFFICIENCY**

The resources of the Museum are predominantly funded by the taxpayer. It is therefore an obligation that we all share to ensure that these resources are managed wisely and economically and are not wasted or misused. 'Resources' are not limited to financial and material resources but also include intangible assets such as staff expertise and commitment, public confidence, intellectual property and so on.

Section 11 of the *Public Sector Ethics Act* states that –

“In performing his or her official duties, a public official should ensure that public resources are not wasted, abused or used improperly or extravagantly”.

### **5.1 Museum Resources**

The Board has an overriding obligation to ensure that any decisions that have resource implications for the Museum optimise the economical use of such resources. Matters may include, but are not limited to, those with financial, material, IT and staffing implications.

### **5.2 Museum Board Resources**

Resources available to the Board itself will be used wisely and economically. Activities such as travel and hospitality will be cost-justifiable in terms of achieving outcomes for the Museum.

## **EXAMPLE**

The Museum Board has undertaken to hold a certain number of monthly meetings outside of the Brisbane Metropolitan area in order to convey a message of commitment to equity of access for regional areas of the State.

It has been agreed that one of these meetings should be held to coincide with the quarterly Museum of Tropical Queensland Advisory Committee meeting in Townsville.

Since most Board members are resident in Brisbane the holding of a Board meeting in Townsville will incur travelling expenses for Board members and staff in the order of several thousand dollars.

At the same time, budget cutbacks have significantly reduced Queensland Museum's annual allocation for building the collection.

**Analysis:** The key issue is the cost-justification for expending resources on a meeting in Townsville at a time of general budgetary hardship. On one hand there is a need to foster the goodwill of Queensland Museum campuses and their clients. On the other hand there is a question not only of whether the expenditure of money is cost-justified, but whether it will be seen to be cost-justified by all potentially interested parties.

**Resolution:** The Board needs to carefully consider all sides of the cost-benefit of a meeting in Townsville. This will require an analysis of the risks and benefits of holding the meeting in Townsville versus holding it in Brisbane or a closer regional centre. If the decision is in favour of not holding the meeting in Townsville, any risk of damage to the relationship with Queensland Museum campuses and their clients needs to be proactively managed. If the decision is made in favour of the meeting being held in Townsville, then the perceptions of potentially interested parties need to be proactively managed.

### **5.3 Donated material**

The Board will ensure that materials referred to it for decision on donation are cost-beneficial to the Museum. The potential public benefit will justify valuation, processing, preservation and other costs associated with the donation.

### **5.4 Intangible resources**

In its decisions and actions the Board will take into account and nurture intangible resources such as goodwill, co-operation, expertise, staff morale and commitment to client service.

## **SECTION 2 HOW TO USE THE CODE**

## **6. Achieving a balance between the obligations**

All of the obligations are equal and all should be used to assist the every day decisions and actions of the Board and Board members. There are times however when judgement will be required to balance one or more “competing” obligations. For example, a Board member may have particular expertise on an issue for which they have also properly declared a conflict of interest. Judgement is necessary on the part of the Board to determine whether the Board member should be excluded from decision-making on the basis of the conflict (an integrity issue) or included on the basis of the value of their input (a diligence issue).

To resolve such a conflict between the obligations it is necessary to use judgement to decide which obligation is more consistent with the public interest. The following flowchart is recommended as a structured way of working through ethical dilemmas and arriving at a reasoned decision that can withstand scrutiny.

## **7. Steps in resolving an ethical dilemma**

### **7.1 Define the problem**

- What are all the relevant facts and issues?
- Who will be affected by or interested in the issue?

### **7.2 What instructions already exist?**

Is there existing legislation/policies/guidelines/instructions that can provide guidance on what to do?

- If clear instruction exists and there is no further ethical dilemma, then the instruction should be followed.
- If there are no instructions, or the instructions only inform the issue rather than resolve it, continue on to Step 3.

### **7.3 What are the ethical dimensions of the issue?**

Where there are no instructions, or where the instructions pose an ethical dilemma, reflect on the following:

- Which of the obligations are relevant to the issue at hand?
- For each identified, which sections of the Code of Conduct are relevant?

### **7.4 What is the best course of action or decision available in the circumstances?**

- Generate a list of possible responses to the dilemma.

- Test each response for
  - a) legality (consistency with any instructions you have identified under Step 2 and any ethical and Code of Conduct obligations identified under Step 3).
  - b) cost-benefit (expected benefit versus potential costs and/or risks, which may include financial costs, damage to reputation, damage to important relationships etc).
  - c) defensibility (the ability to justify the decision; how the decision would appear to key stakeholders; how the decision would appear if it became public knowledge).

## **7.5 Record the decision**

Record both the decision and the decision-making process in the event that the decision must be accounted for.



**Queensland Museum Conflict of Interest disclosure.**

**MEMORANDUM**

To: Members of the Board of the Queensland Museum

From: Director, Corporate Services and Business Development

Re: Conflict of Interest Declarations

Date:

File:

As part of the annual audit process, we are required to provide Conflict of Interest declarations of members of the Board.

Attached please find:

1. copies of previous declaration/s held on your behalf in our files and
2. a copy of a new declaration.

Would you please delete those alternatives on the declaration form which are not applicable, sign and date the declaration and return the completed form to me.

Thank you for your assistance.

Paul Willett

**Director, Corporate Services and Business Development.**



To: The Board of the Queensland Museum

**Conflict of Interest Declaration**

(Please delete not applicable paragraphs)

I confirm that, in relation to my position on the Board of the Queensland Museum, **I am not aware of any actual or potential conflict of interest situations.**

**OR**

I confirm that, in relation to my position on the Board of the Queensland Museum, all actual and potential conflict of interest situations of which I am aware **have been advised to the Board.**

**OR**

I confirm that, in relation to my position on the Board of the Queensland Museum, all actual and potential conflict of interest situations of which I am aware **that have not been advised to the Board previously are listed below.**

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