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|  | Governance e-alert  No. 1 - March 2015 |  |  |  |

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|  | Welcome  1. About DELWP agencies  2. Conflict of Interest – Update to DELWP model policy for boards of major agencies  3. Conflict of Interest – new DELWP model policy for small voluntary committees of management  4. Privacy – new DELWP privacy collection statement builder  5. Annual reporting - Accounting policy update for ‘public bodies’  6. Financial management – new DELWP model policies and procedures for ‘public bodies’  7. Guidance materials and assistance from DELWP  8. Other interested readers? |
|  | Welcome Welcome to the first edition of the Department of Environment, Land, Water and Planning's (**DELWP's**) governance e-alerts. One of the important functions of the new department is the support and oversight of portfolio agencies on behalf of the responsible ministers. Governance e-alerts offer board members, executives and staff of portfolio agencies information on key governance topics such as:   * new laws and government policies * governance news * developments in governance best practice * updates to DELWP's governance website [On Board](http://www.delwp.vic.gov.au/onboard) (e.g. new model policies, guidance notes).   E-alerts are sent to the chairs, CEOs, and other nominated contacts of portfolio agencies, DELWP governance staff, and other interested readers who [subscribe](http://eepurl.com/bfeumr). They are issued on an ‘as needs’ basis to advise of significant governance developments. I anticipate that approximately six e-alerts will be issued this year. |
| \\internal.vic.gov.au\DEPI\HomeDirs1\DO20\Desktop\Leaf.jpg | 1. About DELWP agencies The planning, land, water, environment and local government portfolios are of key strategic importance to Victoria's growth, liveability and sustainability. The DELWP portfolio includes over 100 major agencies (e.g. large public entities) and 1,200 small committees of management of crown land reserves. Depending on the purpose and functions set out in their establishing Act or terms of reference, DELWP agencies are responsible for managing, regulating and/or advising the Victorian government in relation to:   * **environmental sustainability** - e.g. waste and resource recovery groups, Environment Protection Authority, Sustainability Victoria, Commissioner for Environmental Sustainability, Trust for Nature; * **water** - e.g. catchment management authorities, water corporations; * **public land** - e.g. alpine resort management boards, regional coastal boards, traditional owner land management boards, committees of management of crown land reserves, Parks Victoria, Royal Botanic Gardens Board, Zoological Parks and Gardens Board; * **planning and building** - e.g. Architects Registration Board of Victoria, Victorian Building Authority, Heritage Council, Growth Areas Authority (trading as Metropolitan Planning Authority), Urban Renewal Authority (trading as Places Victoria); and * **local infrastructure** - e.g. Geographic Place Names Advisory Panel, Surveyors Registration Board of Victoria, Victorian Grants Commission. |
| \\internal.vic.gov.au\DEPI\HomeDirs1\DO20\Desktop\Leaf.jpg | 2. Conflict of Interest – Update to DELWP model policy for boards of major agencies DELWP has issued an update to its *Conflict of Interest* model policy for boards of major DELWP agencies. The update has been developed in consultation with the Victorian Public Sector Commission. New features include:   * increasing the distinction between managing a **material** conflict of interest and a **non-material** (less serious) conflict of interest; * recommending that boards maintain a *Register of Interests* which records their board members’ interests (direct and indirect) that may give rise to a conflict of interest; * recommending that board members confirm at the start of each meeting that their entries in the *Register of Interests* are complete and correct. (Board members will still need to declare any conflict of interest with any item on the meeting agenda); and * a simplified annual *Declaration of Private Interests* form (available shortly from [On Board](http://www.depi.vic.gov.au/about-us/boards-and-governance/on-board-governance-guides-and-resources/conflict-of-interest)).   The updated policy is attached. It can also be downloaded from the [Conflict of Interest](http://www.depi.vic.gov.au/about-us/boards-and-governance/on-board-governance-guides-and-resources/conflict-of-interest) support module on On Board, which contains a range of resources on this topic. |
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| \\internal.vic.gov.au\DEPI\HomeDirs1\DO20\Desktop\Leaf.jpg | 4. Privacy – new DELWP privacy collection statement builder The *Privacy Protection and Data Act 2014* has replaced the *Information Privacy Act 2000.* If your agency collects personally identifying information it should update its *Privacy Collection Statement* or prepare one. To assist, DELWP has developed a **Privacy Collection Statement Builder** (attached), which your agency can use in the preparation of a compliant *Privacy Collection Statement*.  Background information: The new Act enables the Commissioner, David Watts, to establish a single privacy and data protection framework with security standards to be developed and applied to most public sector agencies, including most DELWP agencies. The new Act maintains the ten ‘Information Privacy Principles’ in the previous Act. It also allows for government departments and portfolio agencies to ask the Commissioner for a Public Interest Determination (**PID**). A PID provides approval to depart from certain information privacy principles, for a specific purpose and limited time frame, if the Commissioner is satisfied it is in the public interest to do so. The new Act does not alter any secrecy or confidentiality provisions in already operating acts – e.g. the *Health Records Act 2001* remains unchanged and continues to regulate personal health information in Victoria. |
| \\internal.vic.gov.au\DEPI\HomeDirs1\DO20\Desktop\Leaf.jpg | 5. Annual reporting - Accounting policy update for ‘public bodies’ The Department of Treasury and Finance (**DTF**) recently issued an [Accounting policy update](http://www.dtf.vic.gov.au/Publications/Government-Financial-Management-publications/Financial-reporting-policy/Accounting-policy-update-Newsletters) newsletter (January 2015) that is useful reading for those DELWP agencies that are ‘public bodies’ under the *Financial Management Act* (**FMA**) – i.e. submit an annual report which is tabled or reported in Parliament under that Act. The newsletter provides information in relation to:   * the new ‘consolidated suite’ of accounting standards for the 2014-15 financial year; and * proposed key changes to DTF’s *Model Report*. (The model report is not mandatory for portfolio agencies. However it represents best practice. DELWP agencies which are subject to the FMA are expected to use the model report as their principle guide to preparing an annual report).   A further source of information to assist with the preparation of annual reports under the FMA is DELWP’s *Guide to annual reporting – public bodies*. I shall advise you when this publication is available from [On Board](http://www.delwp.vic.gov.au/onboard) for the 2014-15 reporting year. |
| \\internal.vic.gov.au\DEPI\HomeDirs1\DO20\Desktop\Leaf.jpg | 6. Financial management – new DELWP model policies and procedures for ‘public bodies’ *Model Financial Policies and Procedures*have been developed to assist DELWP agencies that are ‘public bodies’ under the *Financial Management Act* (**FMA**). These resources assist agencies to establish and maintain effective financial policies and procedures that comply with the Standing Directions issued under section 8 of the Act.  Your agency will need to adapt the resources in the attached *Model* *Financial Policies and Procedures* to take into account the nature and structure of the agency. These resources include:   * **guidelines** on financial management related activities (e.g. managing outsourced financial services, disaster recovery, etc.) * **compliance checklists** to assist your agency to self-assess and to certify compliance with the Standing Directions. The checklists will guide your agency through the compliance certification process. * **forms** that will assist your agency to comply with the Standing Directions. * **useful links** to the topic on other websites (e.g. Department of Treasury and Finance).   A Financial Management support module is also being developed and will be available on [On Board](http://www.delwp.vic.gov.au/onboard) shortly.  Background information: Most major DELWP agencies are subject to the FMA. They must submit an annual report that is tabled or reported in Parliament (see the [annual reporting](http://www.depi.vic.gov.au/about-us/boards-and-governance/on-board-governance-guides-and-resources/annual-reporting) support module) and must comply with a range of financial management obligations in accordance with the binding Standing Directions issued by the Minister for Finance. The Department of Treasury and Finance also publishes a binding Financial Management Compliance Framework on behalf of the Minister for Finance.  Being a **public body** under the FMA is different to being a **public entity** under the *Public Administration Act*. However, most major DELWP agencies are both. |
|  | 7. Guidance materials and assistance from DELWPOn Board guidance materials [On Board](http://www.delwp.vic.gov.au/onboard), DELWP’s governance website ([www.delwp.vic.gov.au/onboard](http://www.delwp.vic.gov.au/onboard)), is a ‘one-stop-shop’ for DELWP agencies to obtain governance information that is tailored to meet their needs. On Board has [support modules](http://www.depi.vic.gov.au/about-us/boards-and-governance/on-board-governance-guides-and-resources/support-modules) on key governance topics such as [board meetings and decisions](http://www.depi.vic.gov.au/about-us/boards-and-governance/on-board-governance-guides-and-resources/meetings-and-decision-making); [conflict of interest](http://www.depi.vic.gov.au/about-us/boards-and-governance/on-board-governance-guides-and-resources/conflict-of-interest/_nocache); [gifts, benefits and hospitality](http://www.depi.vic.gov.au/about-us/boards-and-governance/on-board-governance-guides-and-resources/gifts-benefits-and-hospitality), etc. Support modules contain **model policies** and templates, **guidance notes**, governance guides, and **direct links** to the topic on other websites (e.g. Victorian Public Sector Commission). A guidance note is available in the [induction](http://www.depi.vic.gov.au/about-us/boards-and-governance/on-board-governance-guides-and-resources/governance-essentials) support module that lists these resources. Your DELWP relationship manager In addition to the resources available on [On Board](http://www.delwp.vic.gov.au/onboard), DELWP offers support to its agencies through DELWP divisions and regional offices. If you are a member of a DELWP agency and have a governance query, please contact your agency’s usual **relationship manager or team**. Alternatively, contact DELWP’s Customer Service Centre on 136 186. |
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|  | Regards,  Adam Fennessy  **Adam Fennessy | Secretary** Department of Environment, Land, Water & Planning  8 Nicholson St, East Melbourne, Victoria 3002  1 Taylor St, Epsom, Victoria 3551 **T**: 03 9637 8765 | **E**: adam.fennessy@delwp.vic.gov.au  www.delwp.vic.gov.au |
|  | E-alert library Governance e-alerts and attachments can be downloaded from the [E-alert support module](http://www.depi.vic.gov.au/about-us/boards-and-governance/on-board-governance-guides-and-resources/e-alerts-and-news).  **Disclaimer**: e-alerts and their attachments may be of assistance to you but the State of Victoria and its employees do not guarantee that the information is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on it. Other subscriptions you may like In addition to [subscribing to receive DELWP governance e-alerts](http://eepurl.com/bfeumr), you may be interested in subscribing to:   * the Victorian Public Sector Commission's [e-news](http://www.ssa.vic.gov.au/subscribe-to-enews.html) and [governance insights](http://vpsc.vic.gov.au/products/a-z/view-products/governance-insights.html) * the Victorian Ombudsman's [media alerts](https://www.ombudsman.vic.gov.au/Media/Register-for-Media-Alerts) * the Victorian Auditor-General's Office [news service](http://www.audit.vic.gov.au/about_us/subscribe_newsletters.aspx). |