

# Welcome

Welcome to the 4th edition of the Department of Environment, Land, Water and Planning’s (DELWP’s) governance e-alerts for portfolio agencies.

Integrity and diversity have been a major focus in governance over the past year. This edition continues that focus. It also brings you updates on new governance requirements and resources.

Ensuring that Victoria’s natural and built assets are developed and managed in the best interests of the Victorian community is a vital role for us all. I look forward to continuing to work together to meet the challenges and opportunities of the future.

# On Board re-opens with new guidance materials

I am pleased to advise that DELWP’s governance website, **On Board** (<http://www.delwp.vic.gov.au/onboard)>has reopened for business. I know that many of you have missed this one-stop-shop for governance resources whilst the website was being redeveloped, and l thank you for your patience. I think it’s been worth the wait. The new On Board

has:

* an increased range of governance guidance (e.g. model policies, guidance notes, templates, etc.) in our same easy-to-read style
* a new ‘A to Z’ list of support modules, making it easier to find information on key governance topics (e.g. conflict of interest).

The guidance note that lists governance resources available from DELWP has also been updated. It is ideal to include in induction kits, so as to help new board members discover On Board and learn about the support offered by our divisions and regional offices.

# Gifts, benefits and hospitality ‒ new requirements

The Victorian Public Sector Commission (VPSC) recently published new *Minimum accountabilities for the management of gifts, benefits and hospitality*. Your agency’s gifts policy must be updated to incorporate these new requirements.

Such is the importance of these new integrity requirements that I have recently written personally to the chairs and CEOs of all major DELWP agencies to advise them of the new requirements and my expectations in relation to them. This e-alert enables me to restate my message to a wider audience.

## Aim

The key aim of your agency’s updated gifts policy should be to **minimise gift offers** made to, and accepted by, board members and employees. This will help to protect and promote public confidence in the integrity of your agency.

## New model policy issued by DELWP

Your agency’s updated policy should be consistent with the DELWP’s new model policy for portfolio agencies on *Gifts, benefits and hospitality ‒ responding to gift offers*, which incorporates:

* the minimum accountabilities
* other binding obligations
* good public sector governance practice.

DELWP’s model policy is tailored to the needs, functions and risk levels of DELWP portfolio agencies. It should be used instead of the generic model policy issued by the VPSC.

DELWP is also developing a companion model policy on *Providing gifts*, which will incorporate the minimum accountabilities on that topic. l shall advise you when this resource is available.

## Guidance note for induction kits

DELWP offers an ‘Overview’ guidance note on responding to gift offers, for inclusion in induction kits. It has a summary flowchart on how board members and employees must respond to gift offers.

## Privacy collection statement

Because your agency is required to collect information about gift offers made to its board members and employees, it must publish a privacy collection statement on its website to comply with Victoria’s privacy laws. Your agency’s statement should be consistent with DELWP’s template *Privacy collection statement ‒ gift offers*.

# Other integrity-focused policies

As part of my strong commitment to supporting portfolio agencies to foster a culture of integrity and meet their governance obligations, DELWP also offers other integrity-focused model policies, ‘overview’ guidance notes and related resources on:

* Conflict of interest
* Meetings and decisions
* Code of conduct.

Your board should also have policies on these topics that are consistent with DELWP’s model policies.

# Induction program and kit for board members

DELWP’s model policy and guidance note on induction for board members has recently been updated. Our increased range of ‘overview’ guidance notes for inclusion in induction kits means that your agency can comply with the induction requirements in *Premier’s Circular 2015/02* yet provide an induction program that is flexible and ‘fit for purpose’ ‒ tailored to meet the needs of the particular incoming board.

For further information see the Induction and education (professional development) support module on On Board.

# Mentoring kit for board members

Whether you are a new or experienced board member, there is real benefit in participating in a mentoring program. Your partner in the program does not need to be in the same industry as you. In fact, it often helps to have a bit of distance and perspective.

Mentoring with another current or former public sector board member can be very useful, as they will understand the challenges you face in fulfilling your role effectively whilst complying with integrity standards in the *Public Administration Act* (e.g. s 79 duties of directors), Directors’ Code of Conduct, and your agency’s integrity policies.

DELWP offers a mentoring kit for board members, which is available from the Induction and education (professional development) support module on On Board.

# Mandatory reporting to IBAC ‒ new requirements

From 1 December 2016, heads of Victorian public sector departments and agencies (‘principal officers’) must notify the Independent Broad-based Anti-Corruption Commission (IBAC) if they suspect corrupt conduct has occurred or is occurring in their organisation, unless exempt under s  57(1) and (1A) of the IBAC Act. For most DELWP agencies,

the CEO (by whatever title they are known) is a ‘principal officer’.

As Secretary of DELWP, l also have an obligation to report suspected corrupt conduct in a DELWP agency.

For further information visit the IBAC website, in particular, [www.ibac.vic.gov.au/notifications/information-for-principal-](http://www.ibac.vic.gov.au/notifications/information-for-principal-) officers.

## Relationship to Standing Directions

Some DELWP agencies are subject to the *Financial Management Act 1994.* These agencies have an obligation under Standing Direction 3.5.3 to notify the Minister for Finance and the Auditor-General of suspected or actual theft, arson, irregularity or fraud. Notifying the Minister for Finance and the Auditor-General under Standing Direction 3.5.3 does not negate the obligation to notify IBAC under section 57(1) of the IBAC Act.

# Victorian Protective Data Security framework

The Commissioner for Privacy and Data Protection has issued the Victorian Protective Data Security Framework under section 85 of the *Privacy and Data Protection Act 2014*.

The purpose of the framework, which commenced 1 July 2016, is ‘monitoring and assuring the security of public sector data’. It applies to all Victorian public sector agencies unless exempt under section 84.

Overall, the scheme for managing protective data security risks in Victoria’s public sector includes:

* Victorian Protective Data Security Standards
* Assurance Model
* Supplementary security guides and supporting resources

Agency heads are responsible for demonstrating and reporting on compliance with the framework. As part of these requirements, public sector agencies must develop a Security Risk Profile Assessment and a Protective Data Security Plan for submission by July 2018.

## Further information

The Commissioner for Privacy and Data Protection has produced resources that will assist your agency to understand its protective data security obligations. See the Commissioner’s website (www.cpdp.vic.gov.au) or go to [www.cpdp.vic.gov.au/menu-data-security/victorian-protective-data-security-framework/vpdsf.](http://www.cpdp.vic.gov.au/menu-data-security/victorian-protective-data-security-framework/vpdsf)

# Child Safe Standards

In 2016, new Child Safe Standards were published under Part 6 of the *Child Safety and Wellbeing Act 2005.* Their purpose is to ensure that ‘applicable entities’ to which the standards apply have a culture, policies and procedures that ensure the safety of children is promoted, child abuse is prevented, and allegations of child abuse are properly responded to.

The Commission for Children and Young People has an educative, advice, oversight and enforcement role in relation to the standards. In addition, if the standards apply to your agency then as part of DELWP’s oversight and support role we can ask your agency for information about how your agency is complying with these obligations.

The Whole of Government support module has information about factors that a DELWP agency should consider in determining whether it is an ‘applicable entity’, and if so, whether it must comply with the standards or is exempt from doing so.

## Further information

Further information is available from the Commission for Children and Young People (e.g. Guides and tip sheets) and the Department of Health and Human Services (e.g. *An Overview of the Victorian Child Safe Standards* and the *Child Safe Standards Toolkit*).

# Looking for a board vacancy?

If you are interested in joining the board of a DELWP agency, there is a new place to look. And it also lists board vacancies for other Victorian government portfolios. It’s Get on board, a centralised Victorian public sector site for board vacancies. (Similar name, but different to DELWP’s governance website, On Board).

## Diversity on boards

The Victorian government encourages diversity on boards, for example:

* There is a state-wide target for increasing the percentage of women on public sector boards, including in the DELWP portfolio.
* DELWP is participating in initiatives to increase the number of board members who identify as Aboriginal. As part of this project DELWP has released a new YouTube video (3½ mins), in which Glenys Watts and Graham

Atkinson talk about their experiences of being on boards and the challenges and satisfaction of their service, and encourage other Aboriginal people to consider board membership.

I shall bring you news of further developments during the year.

# Other interested readers?

If you know someone who may be interested in receiving DELWP governance e-alerts, please forward this email to them. Interested readers can subscribe to receive e-alerts. Board members, executives and staff of DELWP agencies and DELWP governance staff are particularly encouraged to subscribe.

Regards, Adam

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**Other subscriptions you may like**

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