

PRACTICE NOTE

Probity screening for Ministerial appointments to boards and committees

The purpose of this practice note is to detail the probity screening process that applies to persons nominated for the following positions:

- member or chair of the Mining and Petroleum Competency Board
- member or chair of the Mine Safety Advisory Council
- member or chair of Coal Innovation NSW
- any other representative which requires ministerial approval to appoint.

This practice note should be read in conjunction with M2013-06 NSW Government Boards and Committees Guidelines which under Section 5 requires probity checks to be conducted for Government board and committee nominees prior to a recommendation for Ministerial appointment being made.

Where there is an inconsistency between this Practice Note and the NSW Government Boards and Committees Guidelines, the Guidelines will prevail.

What is probity screening?

Probity screening is a process of gathering and reviewing evidence about a person, at a point in time, to make an assessment of the person's general integrity and honesty.

What does probity screening involve?

Nominated persons must first provide informed consent for NSW Resources to conduct probity screening.

As required by the NSW Government Boards and Committees Guidelines, the following probity checks will be undertaken for all nominees:

- Australian Securities and Investments Commission Banned and Disqualified search
- Australian Securities and Investments Commission Enforceable Undertakings Register search
- Australian Financial Security Authority National Personal Insolvency Index search
- NSW Police Force National Police Check

Probity determinations

At the conclusion of probity screening the NSW Resources Integrity Panel will consider the outcomes of the screening and make a determination on the clearance.

If the Integrity Panel forms an opinion that the nominated person does not meet an appropriate standard of integrity, the nominated person will be informed in writing and afforded an opportunity to make representations about that opinion within seven days of being notified.

Having considered such representations, should the NSW Resources Integrity Panel determine to formalise an opinion that the nominated person does not meet an appropriate standard of integrity for Ministerial appointment, the nominated person will be informed in writing and afforded the opportunity to withdraw their nomination.

If the NSW Resources Integrity Panel determines that the probity screening demonstrates that the nominated person does meet the appropriate standard of integrity, the outcome will be notified to the relevant branch to proceed with appointment into the position.

Will my personal information remain confidential?

Personal information collected in the course of probity screening will be stored securely and confidentially, with access strictly limited on a 'need to know' basis.

The collection, use, storage and destruction of personal information for the purpose of probity screening is governed by the *Privacy and Personal Information Protection Act 1998*.

Further information

If you have further enquiries, please contact: NSWResources.integrity@regional.nsw.gov.au.