



Conflicts of Interest Policy (approved by the Vice-Chancellor) Procedures

Overview

This procedure provides guidance on how the Conflicts of Interests policy should be applied in the course of carrying out official duties.

Scope

This procedure will apply to all UNE Representatives (as defined in this procedure).

Procedures

Examples of Conflicts of Interest

Conflicts of Interest may occur in any area of an organization's activities. High risk areas include but are not restricted to:

- i. Procurement – tendering and purchasing;
- ii. Staff recruitment – both formal and informal processes;
- iii. Secondary employment – both as staff member and as a business owner;
- iv. Serving as a member or director on boards, committees, advisory groups (or similar bodies) of government, for profit, or not for profit entities;
- v. Staff Relationships with external contractors;
- vi. Post separation dealings with former staff;
- vii. Offer or acceptance of Gifts and Benefits;
- viii. Supervision of staff and students;
- ix. Relationships with students;
- x. Research activities;
- xi. Consulting;
- xii. Use of University information for personal purposes; or
- xiii. Performance management.

Disclosing a Conflict of Interest Procedures

Outside formal committees or meetings

1. Any Conflict of Interest must be disclosed to the relevant supervisor via email. The staff member will provide the supervisor the following information:
 - a) The name of the parties involved;
 - b) A brief outline of the nature of the conflict; and
 - c) A brief outline of the proposed solution to manage/resolve the conflict.
2. The supervisor will make a recommendation, via email to the Head of Cost Centre in regards to the appropriateness of the proposed solution to manage the conflict.

3. The Head of Cost Centre will make a determination on the appropriateness of the proposed solution and either agree with the solution or provide an alternate solution. This determination will be communicated via email to the staff member and the supervisor.
4. Where the Head of Cost Centre is the staff member with a conflict of interest, they will email the Relevant Senior Executive with the same information as outlined above.
5. The email train containing all the correspondence will be emailed by the Head of Cost Centre/Relevant Senior Executive to conflictsofinterest@une.edu.au. Please ensure the title of the email contains the staff members staff number and surname.
6. It becomes the responsibility of the staff members supervisor to ensure the conflict is managed as agreed in the email train as detailed above.

Inside formal committees or meetings

1. Any Conflict of Interest must be disclosed either in writing or verbally to the chair or other person presiding over the meeting. The staff member must provide the following information:
 - a) The name of the parties involved;
 - b) A brief outline of the nature of the conflict; and
 - c) A brief outline of the proposed solution to manage/resolve the conflict.
2. The committee/members must do the following:
 - a) Make a determination in regards to the appropriateness of the proposed solution to manage the conflict;
 - b) Ensure all information is clearly documented in the minutes of the meeting;
 - c) Ensure conflict is managed as agreed in the details outlined above; and
 - d) Ensure once the minutes are approved, an excerpt of the minutes is emailed by the secretary/minute taker to conflictsofinterest@une.edu.au. or other appropriate TRIM repository as approved by the University Secretary.

Example emails for Declaration of Conflicts of Interest

1. Outside a formal committee or meeting

Dear (Supervisors Name)

In my role I have become aware that the University is about to go out to market for the contract for provision of photocopiers and associated services. I would normally be involved with the tender process as that is part of my current duties to assist with the tender process. On this occasion I need to declare that I have a conflict of interest in that my brother in-law is the owner of the local ***** photocopier business who may lodge a tender. I would like to remove myself from the process on this occasion as I feel the conflict cannot be managed any other way. There are other staff resources available to continue the tender process and the process will not be held up by my withdrawal from the process.

Can you please confirm your approval?
Regards

Dear (Head of Cost Centre)

*Please see the email below from (staff member *****). They have outlined a conflict of interest and proposed solution to resolve the issue. I agree with their recommendation and I have adequate*

resources to place another staff member into the tender process. I would ask you to approve this suggested course of action.

Regards

Dear (Supervisor and Staff Member) cc conflictsofinterest@une.edu.au

On the basis of the information provided to me, I agree with your recommendation and request. I will assign another staff resource to this process.
Thank you for making the declaration.

Regards

2. Inside a formal committee or meeting

Dear Chair *(note this can be verbal or written)*

Before this meeting starts I would like to declare a conflict of interest I have with agenda item (**). I currently have a personal relationship with this person and for this reason have a conflict of interest. In this case I propose to exclude myself my this part of the meeting and therefore remove myself from any risk of influencing the meeting or becoming aware of confidential information pertaining to this item.

Can you please confirm your acceptance of this suggested solution.

Dear Committee Member *(note this can be verbal or written)*

Thank you for bringing this conflict of interest to my attention. I agree with your suggested solution. I will ensure a copy of the relevant section of the approved minutes is forwarded to conflictsofinterest@une.edu.au. This will complete the disclosure requirements of this declaration.

Definitions

Conflict of Interest – means

- a. A UNE Representative will have a Conflict of Interest where:
 - i. The UNE Representative has a material interest in a decision or matter; and
 - ii. The UNE Representative's interest appears to raise a conflict with the proper performance of the UNE Representative's duties in relation to the decision or matter.
- b. If a UNE Representative has a Conflict of Interest then the two key issues are:
 - i. Disclosure of the conflict of interest by the UNE Representative; and
 - ii. Management of the conflict of interest.

Head of Cost Centre – normally means the Director or Head of School of the Cost Centre.

Non-pecuniary Interest – These interests do not have a financial component but may arise from Personal or Family Relationships or involvement in sporting, social or cultural activities. They include any factor which would predispose the UNE Representative towards favor or prejudice resulting from friendship, animosity or other personal involvement that could bias the UNE Representative's judgment or decisions.

Pecuniary Interest – These are interests that involve an actual or potential financial gain or loss. They may result from the UNE Representative or a related party owning property, holding shares or a position in a company bidding

for government work, accepting gifts or hospitality, or receiving an income from a second job. Money does not need to actually change hands for an interest to be pecuniary.

Personal or Family Relationship - means a relationship between an employee and a relative, a financially dependent person, a person where there is a financially connected relationship, a close friend, a de facto partner or any person with whom there is currently, or has been, an intimate or an agonistic relationship. This does not include a working relationship which exists due to ordinary collegiate collaboration, where colleagues are not relatives, financially dependent, de facto or intimate partners.

Relevant Supervisor - normally means the staff member's immediate supervisor.

Relevant University Senior Executive - normally means the Head of Cost Centre's supervisor.

UNE Representative - means a University employee (casual, fixed term and permanent), contractor, agent, appointee, UNE Council member and any other person engaged by the University to undertake some activity for or on behalf of the University. It includes corporations and other bodies falling into one or more of these categories.

Administration

Document Type: Procedure

Policy Administrator: Chief Legal & Governance Officer

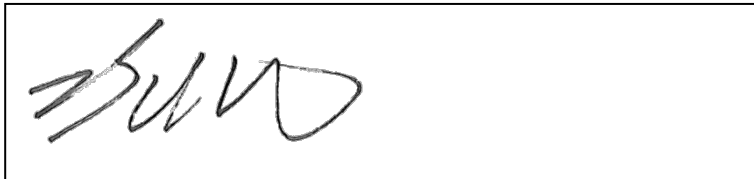
TRIM reference: D06/33278

Date approved: 12/8/2013

Due for review: 3 years from approval

Responsible party for review: Chief Legal & Governance Officer

Approved by:

A rectangular box containing a handwritten signature in black ink. The signature is stylized and appears to be 'SUNO'.

Related policies or other documents:

Conflict of Interest Policy