

Conflict of Interest Procedure

Purpose

1. This Procedure gives effect to the Conflict of Interest Policy.

Scope

2. This Policy applies to all staff of GHE and all members of GHE governance boards and committees.

Definitions

3. Definitions for key terms are presented in the Glossary of Terms which may be accessed on the GHE website at <https://www.globalhe.edu.au/policy>

Suite documents

4. This Procedure is linked to the Conflict of Interest Policy.

Procedure

Governance bodies

5. All Directors and members of governance boards or committees must declare any real or perceived conflict of interest in relation to their role using a *Declaration of Private Interests Form* prior to their appointment to the board or committee.
6. Any other potential or actual conflicts must be declared at the commencement of every meeting and as an ongoing obligation.
7. The Chair of the relevant Board or Committee will determine how the real or perceived conflict will be managed, which could include the member being excluded from participation in any relevant business.

Managing conflicts of interest in personal relationships

Staff with staff and third parties

8. Where a staff member has a personal relationship with another staff member, that staff member shall not:
 - a) be the direct manager of the staff member;
 - b) be involved in work processes with respect to that staff member such as recruitment, promotion, performance management, salary reviews, leave approvals or engagement as a consultant or contractor;
 - c) have access to the personal files of the staff member;
 - d) submit a medical certificate, for any purpose, from a person with whom the staff member has a close personal relationship.
9. Where a staff member has a relationship with a third party such as clients, contractors or suppliers that staff member should not participate in decisions that may provide an unfair advantage or disadvantage for that third party.

Staff and students

10. Where a staff member has a close personal relationship with a student that staff member should not be involved in any processes that have the potential to affect the progress or success of the student such as course selection, assessment, or disciplinary proceedings.

Commercial activities

11. Staff and members must not enter into any commercial business activities where there is an actual conflict of interest.
12. Where a staff or Board member has a personal relationship with a company they must:
 - a) remove themselves from the conflict;
 - b) ensure appropriate controls are in place to manage the conflict; and/or
 - c) disclose the conflict prior to any business activity taking place.
13. Staff holding a financial delegation must complete an Annual Declaration of Private Interests Form to be reviewed and authorised by their supervisor.
14. GHE must comply with Financial Reporting Direction 22B ('FRD') and must make a statement as to whether 'Declarations of Pecuniary Interests' have been duly completed by all relevant officers.
15. Staff must generally not accept gifts or hospitality unless an item is of low value or to decline would cause offence in a cultural or official context. Any gifts that are received must be declared to the relevant senior manager.
16. A potential for an actual, potential or perceived conflict of interest exists where more than one employment relationship exists at the same time. Staff members who engage in work for any other employer must:
 - a) advise their supervisor and take any required steps to manage any possible conflict of interest;
 - b) comply with the provisions in the **Intellectual Property and Copyright Policy**;
 - c) ensure the work does not inhibit or detract from the standards of performance of duties for GHE;
 - d) advise third parties for whom such work is undertaken that it is not being undertaken on behalf of GHE.

Managing conflicts and breaches of this Policy

17. Where a conflict of interest becomes known that has not been declared, the senior manager in the area (Operations Director, Academic Director or Chair of the Board) will initiate an investigation.
18. Where it is identified that any relationship or behaviour is inappropriate the senior manager reserves the right to take any necessary steps to resolve the situation.
19. Pending the outcome of an investigation/enquiry, individuals may be subject to disciplinary action in accordance with GHE policies/procedures, provisions in the **Human Resources Framework** and/or the relevant industrial agreement. In cases of serious conflict of interest, this may lead to termination of employment or Board/committee membership.

Record keeping

20. The Manager, Quality and Compliance, in consultation with the Governance Officer and relevant senior managers will maintain a central record of all relevant declarations and investigations.

Roles and responsibilities

21. The Chairs of Boards and Committees are responsible for:
 - a) ensuring that declarations of private interests are made by all members prior to their appointment to the relevant body and thereafter at each meeting;
 - b) any actual or perceived conflicts are managed appropriately.
22. Supervisors are responsible for ensuring that any conflicts declared by staff under their supervision are managed appropriately.
23. Senior managers are responsible for managing any breaches of this Policy.
24. The Manager, Quality and Compliance is responsible for:
 - a) ensuring compliance with this Procedure;
 - b) benchmarking GHE policy and standards with those adopted elsewhere in the tertiary sector;
 - c) monitoring of information available from the review of records relating to the implementation of this Policy and Procedure;
 - d) the maintenance of any records arising from this Procedure.
25. All staff are responsible for becoming familiar and complying with this Procedure.

Associated information

Related Internal Documents	Conflict of Interest Policy Declaration of Private Interests Form Board Appointment, Renewal and Removal Policy Financial Framework Governance Framework Human Resources Framework Intellectual Property and Copyright Policy Glossary of Terms
Related Legislation, Standards and Codes	<i>Tertiary Education and Quality Standards Agency Act 2011</i> <i>Higher Education Standards Framework (Threshold Standards) 2021</i> TEQSA Guidance Note: <i>Corporate Governance, Version 2.4</i>
Date Approved	1 May 2020
Date of Effect	1 May 2020
Date of Review	June 2026
Approval Authority	Board of Directors
Policy Custodian	Chief Executive Officer
PinPoint DocID	2683

Change history

Version Control		Version 1.2
Change Summary	15-Apr-20	V1.0 Draft approved by Board of Directors (BoD) 1 May 2020
	23-July-20	V1.1 Administrative updates
	9-Oct-23	V1.2 administrative updates following TEQSA registration

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