



Conflict of Interest Procedure

Related Policy	Conflict of Interest Policy
Responsible Officer	Executive Director University Governance
Approved by	Vice-Chancellor
Approved and commenced	April 2017
Review by	April 2019
Relevant Legislation, Ordinance, Rule and/or Governance Level Principle	<i>Public Interests Disclosure Act 2002 (Tas)</i> Governance Level Principle 3: Consultancies Governance Level Principle 7: Procurement and Contracts Governance Level Principle 11: Employment
Responsible Organisational Unit	University Governance

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1 Preamble

The purpose of the *Conflict of Interest Procedure* (the *Procedure*) is to provide instructions, tools and templates to facilitate the implementation of the *Conflict of Interest Policy*.

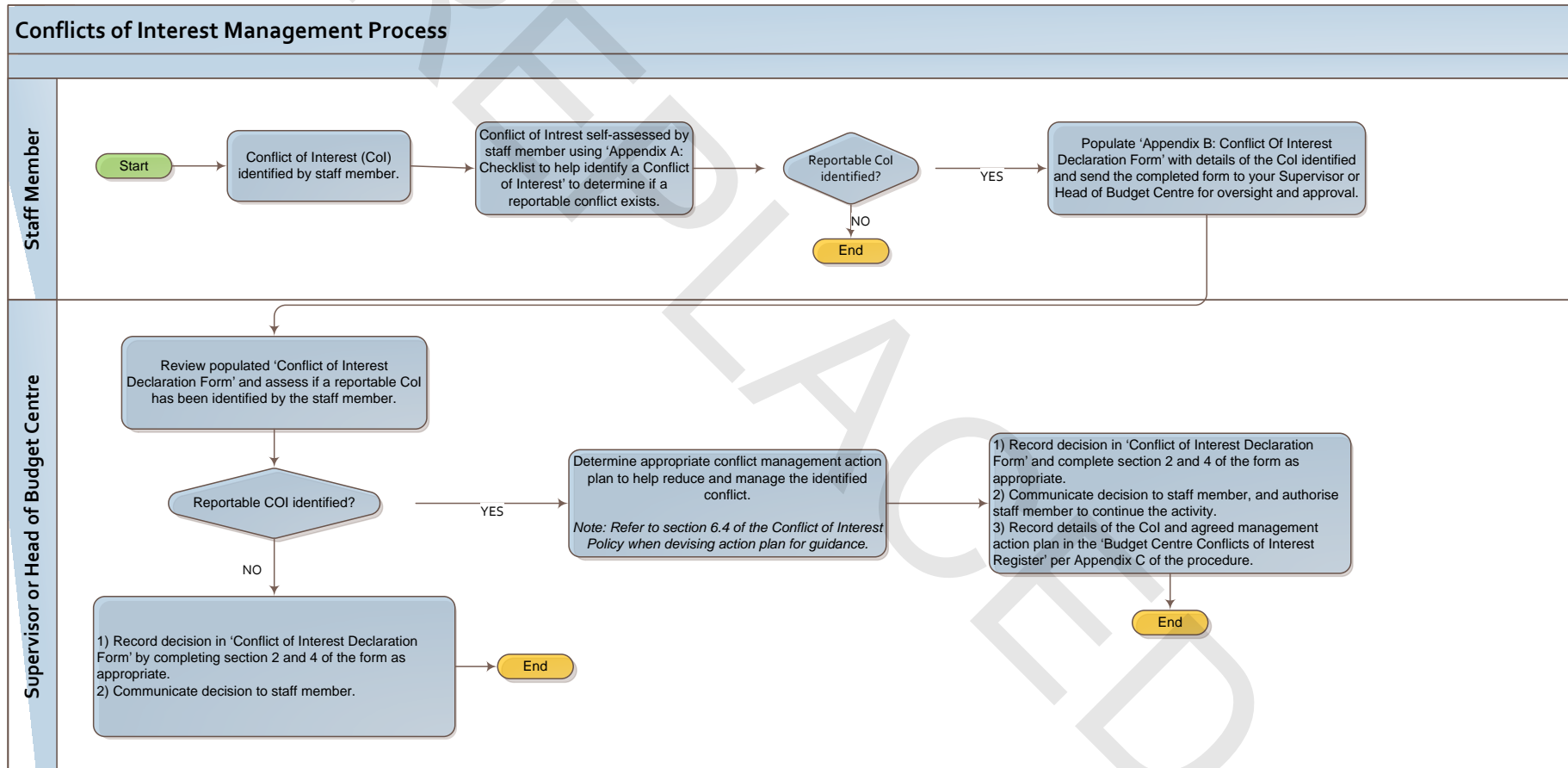
2 Scope

This *Procedure* applies to all staff members, defined to include:

- members of the University Governing Bodies
- all members of University staff, including casual staff
- Adjunct, Clinical and Associate title holders, Visiting Scholars and Emeritus Professors
- volunteers, and
- consultants and independent contractors undertaking services at the University.

3 Conflicts of Interest Procedure

The following process should be followed when disclosing conflicts of interest:



Step 1: Conflict of Interest Identified

- In the situation where you think you might have a conflict of interest assess the conflict by using the 'Appendix A: Checklist to help identify a Conflict of Interest' form.
- Once the form has been completed and if you answered **YES** to any of the questions contained in the form, you may have an actual, reasonably perceived or potential conflict of interest. As a result you must complete the 'Appendix B: Conflict Of Interest Declaration Form' and send the completed form to your Supervisor or Head of Budget Centre for oversight and approval.
- If you have any doubt as to whether or not you have a conflict of interest, you must also complete the 'Appendix B: Conflict Of Interest Declaration Form' and send the completed form to your Supervisor or Head of Budget Centre for review and assessment.

Note: Disclosure is only considered to have occurred when it has been provided in writing to the appropriate relevant Supervisor or Head of Budget Centre using the Disclosure of a Conflict of Interest Form. The fact that a matter may be known by others, or is considered public knowledge, is no substitute for written disclosure.

Step 2: Conflict of Interest Assessment by Supervisor or Head of Budget Centre

- All completed forms received by the Supervisor or Head of Budget Centre should be closely examined to assess if a conflict exists, and if a conflict of interest action plan is required to be implemented. The Supervisor or Head of Budget Centre, after assessing the received form must:
 - a) Record their decision in the 'Conflict of Interest Declaration Form' and complete section 2 and 4 of the form as appropriate.
 - b) Communicate decision to staff member, and authorise staff member to continue the activity or otherwise.
 - c) Record details of the Conflict of Interest and agreed management action plan in the 'Budget Centre Conflicts of Interest Register' per Appendix C of the procedure.
- The Budget Centre Conflict of Interest Register does not have to be completed, in instances where the Supervisor or Head of Budget Centre determines there to be no conflict of interest.
- It is the responsibility of the officer in receipt of the disclosure (i.e. Supervisor or Head of Budget Centre) to identify and, where necessary, determine the Conflict of Interest management strategy and action plan. The action plan should be created in consultation with the disclosing person.
- Where the Supervisor or Head of Budget Centre is unable to make a determination on whether a Conflict exists or needs further guidance as to how the conflict should be managed, he/she should seek advice from University Governance.

Note: It can be useful to refer to section 6.4 of the Conflict of Interest Policy when devising action plan.

Step 3: Capturing details of the conflict of interest in the ‘Conflict of Interest Register’

- It is the responsibility of the officer in receipt of the disclosure (i.e. Supervisor or Head of Budget Centre) to ensure all details of the reported conflict of interest and agreed conflict management action plan are captured in the Budget Centre Conflict of Interest Register in accordance with ‘Appendix C: Conflicts of Interest Register Template – Budget Centre Level’.

Step 4: Implementation and continuous assessment of appropriateness of conflict management action plan

- It is the responsibility of the University staff member or affiliate disclosing the conflict to act in accordance with the agreed action plan, including, where necessary, performing a periodic review of the action plan and providing additional disclosure if circumstances surrounding the conflict of interest change.
- In the event where the current action plan is no longer suitable to effectively manage the conflict, the action plan should be revised and resubmitted to your Supervisor or Head of Budget Centre for review and approval.

4 Versioning

Current Version	Version 1 - <i>Conflict of Interest Procedure</i> ; approved April 2017
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Appendix A: Checklist to help identify a Conflict of Interest

The purpose of this tool is to provide a checklist that you can work through when you are faced with a situation in which you think you might have an actual, perceived, or potential conflict of interest. This form is for your own personal use, but if after completing the form you have any doubts about whether or not you have a conflict of interest, you should complete the Conflict Of Interest Declaration Form (per Appendix B of this *Procedure*).

Making an assessment

In assessing whether you have an actual, perceived, or potential conflict of interest, it may be helpful to ask yourself the following questions. The test when assessing these situations is to ask yourself, 'could this conflict with my professional duties?'

If you answer **YES** to any of the questions below, you may have an actual, reasonably perceived or potential conflict of interest.

	YES	NO
Would I or anyone associated with me benefit from or be detrimentally affected by my proposed decision or action?	<input type="checkbox"/>	<input type="checkbox"/>
Could there be benefits for me in the future that could cast doubt on my objectivity?	<input type="checkbox"/>	<input type="checkbox"/>
Do I have a current or previous personal, professional or financial relationship or association of any significance with an interested party?	<input type="checkbox"/>	<input type="checkbox"/>
Would my reputation or that of a relative, friend or associate stand to be enhanced or damaged because of the proposed decision or action?	<input type="checkbox"/>	<input type="checkbox"/>
Do I or a relative, friend or associate of theirs stand to gain or lose financially in some covert or unexpected way?	<input type="checkbox"/>	<input type="checkbox"/>
Do I hold any personal or professional views or biases that may lead others to reasonably conclude that I am not an appropriate person to deal with the matter?	<input type="checkbox"/>	<input type="checkbox"/>
Have I contributed in a private capacity in any way to the matter my Academic Unit/Division/the University is dealing with?	<input type="checkbox"/>	<input type="checkbox"/>
Have I made any promises or commitments in relation to the matter?	<input type="checkbox"/>	<input type="checkbox"/>
Have I received a benefit or hospitality from someone who stands to gain or lose from my proposed decision or action?	<input type="checkbox"/>	<input type="checkbox"/>
Am I a member of an association, club or professional organisation or do I have particular ties and affiliations with organisations or individuals who stand to gain or lose by my proposed decision or action?	<input type="checkbox"/>	<input type="checkbox"/>
Could this situation have an influence on any future employment opportunities outside my current official duties?	<input type="checkbox"/>	<input type="checkbox"/>
Could there be any other benefits or factors that could cast doubts on my objectivity?	<input type="checkbox"/>	<input type="checkbox"/>
Would I or anyone associated with me benefit from or be detrimentally affected by my proposed decision or action?	<input type="checkbox"/>	<input type="checkbox"/>
Could there be benefits for me in the future that could cast doubt on my objectivity?	<input type="checkbox"/>	<input type="checkbox"/>
Do I have a current or previous personal, professional or financial relationship or association of any significance with an interested party	<input type="checkbox"/>	<input type="checkbox"/>
Would my reputation or that of a relative, friend or associate stand to be enhanced or damaged because of the proposed decision or action?	<input type="checkbox"/>	<input type="checkbox"/>

If you still have doubts about your proposed decision or action, direction should be sought from your Supervisor, Head of Budget Centre or University Governance.

Appendix B: Disclosure of Conflict of Interest Form

The purpose of this form is to facilitate the disclosure and management of conflicts of interest in accordance with the *Conflicts of Interest Policy (the Policy)*. This form is designed to be used by University staff members and affiliates to disclose actual, perceived, or potential conflict of interest situation which may exist. If it is decided that a conflict of interest action plan must be implemented, per section 6.4 of the *Policy*. It is the responsibility of the University staff member or affiliate disclosing the conflict to act in accordance with the agreed action plan, including, where necessary, performing a periodic review of the action plan and providing additional disclosure if circumstances surrounding the conflict of interest change.

If you are unsure as to whether you hold a conflict of interest, discretion should be sought from your Supervisor, Head of Business Centre or University Governance.

Section 1: To be completed by the staff member disclosing conflict of interest

Details of University staff member reporting the conflict of interest:	
First Name	
Last Name	
Employee Number (if applicable)	
Position	
Faculty/Division	
School/Unit	
Conflict of Interest disclosure:	
Details of conflict of interest	
Date conflict occurred	
Date conflict was identified	
Date conflict was reported	
The conflict is characterized by the following (tick appropriate box/s):	
<input type="checkbox"/> Relationship with another staff member <input type="checkbox"/> Relationship with family or friends <input type="checkbox"/> Relationship with external parties <input type="checkbox"/> Financial interest	<input type="checkbox"/> Outside work activities (paid / unpaid) <input type="checkbox"/> Conflict of duty e.g. membership of another public or private organisation <input type="checkbox"/> Other (please detail):
This conflict is expected to last: <input type="checkbox"/> 0-12 Months <input type="checkbox"/> >12 months	

Section 2: To be completed by relevant Supervisor or Head of Budget Centre

Assessment of conflict:
<input type="checkbox"/> <u>Do not</u> constitute a conflict of interest, and I authorize the staff member to continue the activity (if ticked, go to Section 3) <input type="checkbox"/> <u>Do</u> constitute an actual, potential or perceived conflict of interest (if ticked, provide a detailed action plan below)

It is the responsibility of the officer in receipt of the disclosure to identify and, where necessary, create an action plan to manage the disclosing person's conflict. The action plan should be created in consultation with the disclosing person. It can be useful to refer to section 6.4 of the Conflict of Interest Policy when devising action plan.

Management action plan:	
I have reviewed guidance material and request that the staff member takes the following action to eliminate/manage the conflict of interest:	
I will ensure that this action plan is reviewed:	<input type="checkbox"/> N/A as the conflict is of short duration <input type="checkbox"/> Within 3 months <input type="checkbox"/> Within 6 months <input type="checkbox"/> Within 12 months <input type="checkbox"/> Other – please specify

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Section 3: Staff member's declaration

To the best of my knowledge and belief, any actual, perceived or potential conflicts between my duties at the University and my private and/or business interests have been fully disclosed in this form in accordance with the requirements of the Conflict of Interest Policy. I acknowledge, and agree to comply with, any approach identified in this form for removing or managing an actual, perceived or potential conflict of interest.

University Staff Member Signature	
Date	

Section 4: Supervisor or Head of Budget Centre declaration

The actions described in the approach outlined in Section 2 have been put in place to effectively manage any actual, potential or perceived conflict of interest disclosed in Section 2. The approach outlined in Section 2 ensures that the University's interests and reputation is adequately protected.

Supervisor or Head of Budget Centre Details (First Name, Last Name, Position)	
Supervisor or Head of Budget Centre Signature	
Date	

PLEASE FORWARD COMPLETED FORM TO THE RELEVANT HEAD OF BUDGET CENTRE'S OFFICE

Appendix C: Conflicts of Interest Register Template – Budget Centre Level



<Budget Centre Name> Conflicts of Interest Register

Budget Centre:								
Details of Staff Member Reporting the Conflict of Interest - Name - Employee Number - Position	Date conflict occurred	Date conflict identified	Date conflict reported	Conflict Description: What is the conflict?	Decision maker name & position	Assessment of conflict by Supervisor or Head of Budget Centre Has an actual, potential or perceived conflict of interest noted?	Agreed management action plan	Agreed management action plan review date

Link to register template in excel format:



Conflict of Interest Register (Budget Level)