# Conflict of Interest Policy

## 1 Purpose

To ensure Conflicts of Interest are identified and managed effectively to protect the University and University Members from the risks associated with actual, perceived, and potential Conflicts of Interest.

## 2 Scope

This Policy applies to all University Members, excluding University Members of the University Council who are not Employees, (hereafter referred to as 'Members') when participating in activities related to the University.

Refer to the Council Conflict of Interest Policy and Procedure for matters related to the University Council.

## 3 Policy Statement

The University aims to ensure that its functions, activities, and the actions of its Members are conducted to the highest standard of ethics and integrity.

This policy aims to raise awareness of Conflicts of Interest and provide information to assist in the identification and management of Conflicts of Interest.

This policy outlines the principles for the identification, Disclosure, and management of any actual, potential, or perceived Conflicts of Interest by Members. This policy supports the University's duty under section 6(d) of the *Public Sector Ethics Act 1994* (Qld) to ensure that any Conflict of Interest will be resolved or appropriately managed in favour of the public interest.

Conflicts of Interest include:

- a perceived conflict exists where it could reasonably be perceived, or gives the appearance, that a competing interest or obligation, whether personal or involving a third party, could improperly influence the performance of a Member's duties and responsibilities owed to the University;
- a potential Conflict of Interest exists where a Member has an interest or obligation, whether personal or involving a third party, that could conflict with the Member's duties and responsibilities owed to the University; and

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- an actual Conflict of Interest exists where a Member has a competing interest or obligation, whether personal or involving a third party, that directly conflicts with the Member's duties and responsibilities owed to the University.

## 4 Principles

All Members who hold delegated authorities for matters including but not limited to financial, Purchasing, Student supervision, research supervision, contract, or human resource management activities, including management of Student and Employee complaints and grievances, must ensure that exercise of their Delegation does not result in a perceived, potential or actual Conflict of Interest.

All Members have an obligation and responsibility to ensure that appropriate steps are taken to avoid Conflicts of Interest. This includes, but is not limited to, undertaking education opportunities to ensure compliance and understanding their responsibility to create an environment which values respect, integrity and excellence.

The University will provide education opportunities for Members to promote and raise awareness of their individual responsibility to identify, Declare, and manage perceived, potential, or actual Conflicts of Interest.

The University will establish a mechanism for the identification, Declaration, and management of Conflicts of Interest, and require all Members to Declare all Conflicts of Interest (of all types) to ensure that:

- the University's interests are protected by ensuring that all Decision making is impartial and objective;
- the University's reputation and the reputation of its Members is protected by maintaining ethical standards of good judgement, fairness and integrity in all its dealings;
- the University is in compliance with Australian national security laws and mitigating risks of Foreign Interference (refer to the National Security Policy);
- Members always observe the highest standard of professional ethical conduct;
- Private Interests do not compromise, or be seen to compromise, the impartiality of Members when carrying out their official duties;
- Members abstain from involvement in official Decisions and actions which could be compromised by Private Interests and affiliations;
- private actions undertaken by a member can not be seen to deliver an improper advantage from access to confidential or proprietary Information they might have access to through their official duties;

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- Members do not use their official position or University resources for private personal gain or gain by others with whom the member has a relationship or close personal association;

- there can be no perception that a member has received an improper benefit that may influence the performance of their official duties; and

- Members do not take improper advantage of their official position or the University's confidential or proprietary Information gained in that position when seeking employment or other opportunities for personal benefit outside the University, or provide such advantage to others with whom they have an association. Members must carry out their official duties with integrity and avoid Conflicts of Interest between their personal relationships and their University responsibilities.

## 5 References

Nil

## 6 Schedules

This policy must be read in conjunction with its subordinate schedules as provided in the table below.

## 7 Policy Information

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| **Accountable Officer** | Chief Operating and Financial Officer |
| **Responsible Officer** | Chief People Officer |
| **Policy Type** | Governance Policy |
| **Policy Suite** | Conflict of Interest Procedure<br><br>Outside Work Procedure |
| **Subordinate Schedules** | |
| **Approved Date** | 7/7/2025 |
| **Effective Date** | 7/7/2025 |
| **Review Date** | 2/12/2029 |
| **Relevant Legislation** | *Acts Interpretation Act 1954*<br><br>*Corporations Act 2001* |

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| | *Integrity Act 2009*<br><br>*Public Sector Ethics Act 1994*<br><br>*University of Southern Queensland Act 1998* (Qld) |
| **Policy Exceptions** | Policy Exceptions Register |
| **Related Policies** | Code of Conduct Policy<br><br>Council Conflict of Interest Policy and Procedure<br><br>National Security Policy<br><br>Research Code of Conduct Policy<br><br>Student General Conduct Policy |
| **Related Procedures** | National Security Procedure<br><br>Sanctions and Export Controls Procedure |
| **Related forms, publications and websites** | Conflict of Interest Declaration Form<br><br>Employee Conflicts of Interest Knowledge Article (under development) |
| **Definitions** | **Terms defined in the Definitions Dictionary** |
| | Conflict of Interest<br><br>If a University Member has an interest that conflicts or may conflict with the discharge of the University Member's duties the University Member should Declare the nature of the interest and the conflict to the University Member's Supervisor as soon as practicable after the relevant facts come to the University Member's knowledge and must not take action or further action relating to a matter that is or may be affected by the conflict until authorised. An Executive Leader may direct a University Member to resolve a conflict or possible conflict between an interest of the University Member and the University Member's duties. A reference to an interest or to a Conflict of Interest is a reference to those matters within their ordinary meaning under the general law, and, in relation to an interest, the definition in the Acts Interpretation Act 1954, Schedule 1, does not apply. A Conflict of Interest will arise when a University Member's Private Interests conflict with their duty to the University or to serve the public interest as a University Member. The risk of having a conflict of interest increases where a University Member's responsibilities include the authority to make decisions. A conflict of interest may be potential, perceived or actual - when a University Member is in a role where future decision making may be influenced by their Private Interests if a certain |

condition is fulfilled, they have a potential conflict of interest; a perceived conflict of interest arises where it appears that decisions a University Member make in the course of their University employment may be influenced by their Private Interests, whether or not this is in fact the case; an actual conflict of interest exists where a University Member's actions could be unduly, improperly or excessively influenced by their Private Interests. Serious misconduct can occur when a conflict of interest is concealed, understated, mismanaged or abused.

Council

Council means the governing body, the University of Southern Queensland Council.

Decision

A determination made by an Employee, contractor or other authorised delegate in the course of their duties on behalf of the University.

Delegation

A formal authority or power granted to Council members, Employees and Council committees to make Decisions on behalf of the University.

Employee

A person employed by the University and whose conditions of employment are covered by the Enterprise Agreement and includes persons employed on a continuing, fixed term or casual basis. Employees also include senior Employees whose conditions of employment are covered by a written agreement or contract with the University.

Gift and/or Benefit

A Gift and/or Benefit is: the transfer of property or other benefit without recompense or for a consideration substantially less than full consideration; or a loan of property made on a permanent, or an indefinite, basis; anything of value offered in the course of employment other than normal employment entitlements that is received or given by a University Member when they are acting in their official capacity. Gifts and/or benefits include tangible items of lasting value and intangible items of no lasting value (including hospitality).

Information

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| | Any collection of data that is processed, analysed, interpreted, organised, classified or communicated in order to serve a useful purpose, present facts or represent knowledge in any medium or form. This includes presentation in electronic (digital), print, audio, video, image, graphical, cartographic, physical sample, textual or numerical form.<br><br>Non-Pecuniary Interest<br><br>Does not involve a financial component but may arise from personal or family relationship or involvement in sporting, social or cultural activities. It can include but is not limited to any favour or prejudice from friendship, animosity or other personal involvement that could lead to actual or potential bias in the exercise of judgement or discretion or the making of a Decision.<br><br>Pecuniary Interest<br><br>Involves an actual or potential financial gain or loss. For example: Existing proprietary, contractual and employment rights Existing liabilities / obligations Interests created by, in, or under a decision or transaction effected by the University Indirect economic relationships (share price value) Expectancies (future economic interests, employment opportunities etc.)<br><br>Purchasing<br><br>The method for acquiring the Goods and/or Services required. This can include credit cards, purchase orders and/or leasing arrangements.<br><br>Student<br><br>A person who is enrolled in a UniSQ Upskill Course or who is admitted to an Award Program or Non-Award Program offered by the University and is: currently enrolled in one or more Courses or study units; or not currently enrolled but is on an approved Leave of Absence or whose admission has not been cancelled.<br><br>University<br><br>The term 'University' or 'UniSQ' means the University of Southern Queensland.<br><br>University Members<br><br>Persons who include: Employees of the University whose conditions of employment are covered by the UniSQ Enterprise Agreement |

whether full time or fractional, continuing, fixed-term or casual, including senior Employees whose conditions of employment are covered by a written agreement or contract with the University; members of the University Council and University Committees; visiting, honorary and adjunct appointees; volunteers who contribute to University activities or who act on behalf of the University; and individuals who are granted access to University facilities or who are engaged in providing services to the University, such as contractors or consultants, where applicable.

**Definitions that relate to this policy only**

**Conflict of Interest Register**

A register is held by the People Portfolio of Conflict of Interest Declarations where a conflict is of a material or ongoing nature.

**Declare or Declaration**

A written statement made by a University Member of the relevant personal interests, or the interests of individuals closely related to the person, when those interests may give rise to a Conflict of Interest. A Declaration involves registering details of the Conflict of Interest, reporting the Conflict of Interest to their Supervisor, and developing an agreed approach to manage the conflict.

**Disclose or Disclosure**

To make known to others that an interest exists that may affect the carrying out of official duties when a University Member is required to participate in a discussion or decision about a matter. A record of the Disclosure should be created and retained.

**Private Interest**

Anything that can influence, or be reasonably perceived to influence, an individual. This may include direct interests, such as an individual's own personal, family, professional or business interests, as well as indirect interests, such as the personal, family, professional or business interests of a Related Person. Private Interests may be Non-Pecuniary Interests or Pecuniary Interests.

**Related Person**

Includes anyone who is part of a University Member's close circle of family and friends. Close members are those persons whose interests may be expected to influence, or be influenced by, the University Member's duties, and include but are not limited to:

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| | • children and spouse or domestic partner;<br>• children of their spouse or domestic partner; and<br>• dependents of the University Member or the University Member's spouse or domestic partner.<br><br>A Related Person is not restricted to family relationships, and may extend to anyone whose affairs are closely linked to those of the University Member, where there are some type of direct or indirect beneficial relationship.<br><br>**Supervisor**<br><br>Any person responsible for leading the activities of a University Member. In the context of this policy, a Supervisor includes Employees at any classification level or title who have responsibilities for: leading, managing or supervising, a business process, work team/s, or individual Employees, or; directing the activities of a University Member. e.g. The chair of a Recruitment Panel is a Supervisor of a recruitment selection process. |
| **Keywords** | Corrupt conduct, Conflict of Interest, conflict, CoI, declaration, disclosure, actual, perceived, potential |
| **Record No** | 14/2758PL |

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