

# Conflict of Interest Procedure

## Section 1 - Summary

(1) This Procedure sets out the steps to be taken to identify, declare, manage and monitor a conflict of interest.

## Section 2 - TEQSA/ASQA/ESOS Alignment

(2) HESF: 6.1 Corporate Governance; 6.2 Corporate Monitoring and Accountability

(3) Standards for RTOs (2015): Standard 7 & 8. National Vocational Education and Training Regulator (Outcome Standards for Registered Training Organisations) Instrument 2025: Standard 4.1, 4.2, 4.3, 4.4.

## Section 3 - Scope

(4) This Procedure applies to:

- a. All staff, non-Council committee members, contractors, volunteers, honorary and adjunct staff.
- b. All activities under the control or direction of Victoria University (VU), whether conducted on or off University property or in a digital environment.

(5) This Procedure does not apply to Council members, who should refer to the [University Council - Conduct of Council Business and Standing Orders Procedure](#).

## Section 4 - Definitions

(6) Conflict of duty: A conflict of duty arises when an individual is required to fulfil two or more roles that may be in conflict with each other.

(7) Conflict of interest: A conflict of interest is where an individual has private interests that could improperly influence, or be seen to influence, their decisions or actions in the performance of their university duties.

(8) Conflict of Interest Management Plan: A plan that records the steps that will be taken to manage an identified conflict of interest under this Procedure.

(9) Conflict of Interest Register: A central register which records staff conflict of interest disclosure and management plans.

(10) Personal Relationships: Relationships between personnel within the scope of this procedure and individuals or people that extend outside of the University or University duties, or a relationship where a reasonable person may perceive that there could be some bias, either positive or negative, resulting from that relationship.

(11) Private interest: Private interests include direct interests, such as an individual's own personal, family, professional or business interests.

# Section 5 - Policy/Regulation

(12) Conflict of Interest Policy

## Section 6 - Procedures

### Part A - Summary of Roles/Responsibilities

Roles	Responsibilities
Audit and Risk Committee	Set and promote a positive organisational culture in relation to conflict of interest risk identification. Approve the University's Conflict of Interest Policy and Procedures. Receive regular reporting on the department's conflict of interest processes and their effectiveness.
Vice-Chancellor and Vice-Chancellor Group (VCG) members	Set and promote a positive organisational culture in relation to managing conflict of interest risk. Oversee compliance of direct reports with the Conflict of Interest Policy and Procedure.
Managers/Supervisors	Promote a positive organisational culture in relation to conflict of interest risk identification. Be aware of the conflict of interest risks inherent in direct reports' roles. Oversee the development and implementation of their conflict of interest management plans as required. Review and, where appropriate, approve conflict of interest declarations submitted by direct reports within an appropriate timeframe (what constitutes an appropriate timeframe for approving a conflict of interest declaration will depend on the circumstances). Model good practice.
All Staff	Be aware of and proactively identify conflicts of interest. Declare conflicts of interest in writing to the appropriate manager/supervisor using the conflict of interest declaration form. Comply with the approved conflict of interest management plan, which will be developed in consultation with their manager/supervisor. Regularly assess and monitor their plan, notifying their manager/supervisor of any changes that may affect the plan or its risk level. If in doubt, seek advice from their manager/supervisor or People and Culture. Consider conflict of interest and exposure to risk when exercising delegations as per Clause 20 of the <a href="#">Delegations and Authorisations Policy</a> .
People and Culture	Monitor and administer the conflict of interest email inbox (COI@vu.edu.au), identifying and escalating any issues to the relevant VCG member. Maintain the University's Conflict of Interest Register. Ensure appropriate records management processes are followed in regard to the collection and storage of conflict of interest declarations.
Risk and Compliance	Oversee and monitor conflict of interest compliance, identifying emerging risks and escalating them to senior management. Promote conflict of interest awareness among staff, encouraging timely and accurate declarations. Provide assurance on conflict of interest practices to the Audit and Risk Committee and University Council.
Academic Quality and Standards	Periodically monitor compliance with the <a href="#">Staff-Authored Texts Procedure</a> . May access the COI Register for compliance with the <a href="#">Staff Authored Texts Procedure</a> .
Executive Director Procurement and Finance Operations	Oversee conflict of interest monitoring and management within Procurement processes. May access the COI Register for compliance with the <a href="#">Purchasing Policy</a> .

Roles	Responsibilities
Research Services	Conduct due diligence in relation to potential conflict of interest risks (including foreign interference risks) as part of Research funding processes.

## Part B - Procedures

### Identify conflicts of interest

(13) Conflicts of interest are common, and many people will have them in the course of their employment. Having a conflict of interest is not, in itself, a sign of wrongdoing, however all staff must take reasonable steps to avoid any actual, potential or perceived conflict of interest and act in the best interests of the University.

(14) Examples of a conflict of interest include, but are not limited to:

- a. Soliciting or accepting outside work within the area of professional expertise that a staff member is employed by VU, without declaring this to a manager/supervisor.
- b. Directly or indirectly using University funds, resources or assets in a way which may be of benefit to a staff member in a personal capacity.
- c. Directly or indirectly using University funds, resources or assets to make any political contributions or donations or attend any political fundraisers as a representative of the University.
- d. Directly or indirectly entering into a contract or arrangement with VU (other than a contract or arrangement relating to their employment at VU).
- e. Using the University's intellectual property and resources to benefit a third party without prior written authority of the University.
- f. Managing or assessing the performance of or supervising a person with whom a staff member has, or has had, a close personal or familial relationship (including a romantic or sexual relationship).
- g. Teaching, undertaking assessment of, or supervising a student with whom a staff member has, or has had, a close personal or familial relationship (including a romantic or sexual relationship).

(15) Personal relationships between staff and staff/students carry inherent risk due to a potential or perceived imbalance of power and influence. All staff must be aware of and manage the impacts that these relationships may have in the workplace or study environment, especially where they give rise to actual, potential or perceived conflicts of interest.

(16) If a staff member has a conflict of interest, they may not automatically be excluded from undertaking their work duties, such as making certain decisions. The management plan that is developed will be proportionate to the level of risk posed by the conflict of interest.

(17) Staff may seek advice or report concerns to their manager/supervisor or People and Culture Business Partner. The Dean, Graduate Research and Executive Director, Research Services may be consulted for research-related conflict of interest matters.

### Declare conflicts of interest

(18) In order to disclose or declare a conflict of interest, complete the Conflict of Interest Declaration Form and submit it to People and Culture for review, via [COI@vu.edu.au](mailto:COI@vu.edu.au).

(19) Prior to or immediately after submitting a declaration form:

- a. employees must notify their manager/supervisor

- b. members of the Executive must notify the Vice-Chancellor (or nominee), and
- c. contractors, consultants, partners and other associates of the University must notify their manager/supervisor or the person within the University who has engaged their services.

(20) COI declarations for suppliers and staff involved in procurement are managed by the Executive Director Procurement and Finance Operations in accordance with the [Purchasing Procedure](#).

(21) A conflict of interest must be disclosed or declared where possible, prior to the conflict of interest arising and in all other circumstances as soon as practicable after becoming aware of it.

(22) All staff have a responsibility to declare any conflict of interest at any time prior to or during their employment at or service to the University. This includes, but is not limited to, the expectation that you will:

- a. Disclose actual or potential conflict of interest and, where appropriate, withdraw immediately from the situation giving rise to the conflict until the conflict has been addressed under these procedures.
- b. Declare all private paid outside work, including directorships and board memberships.
- c. Declare all commercial relationships that may constitute an actual or potential conflict of interest.
- d. Declare all personal, familial, romantic or sexual relationships that may constitute an actual or potential conflict of interest.
- e. Declare all affiliations or relationships with a foreign government or foreign institution, including any financial benefit or commitment in respect of any such affiliation or relationship.
- f. Report any concerns in relation to a conflict of interest that you have knowledge of that relates to another staff member.

(23) Where the circumstances of a previously disclosed conflict of interest change, including where there is no longer a conflict of interest, the staff member must again advise the person previously notified under clause (20) and submit a revised Conflict of Interest Declaration form.

## **Manage conflicts of interest**

(24) When a conflict of interest is declared, a Conflict of Interest Management Plan will be prepared by the staff member in consultation with their manager/supervisor to eliminate, manage or resolve the conflict.

(25) Once approved by the relevant supervisor, the Conflict of Interest Management Plan is submitted to People and Culture via the conflict of interest mailbox - COI@vu.edu.au.

(26) Conflict of interest management plans will ensure conflicts are managed and resolved in favour of the public interest rather than that of the employee and may include the following mitigation strategies:

- a. Restrict: restrictions are placed on the employee's involvement in the matter.
- b. Recruit: a disinterested third party is used to oversee part or all of the process that deals with the matter. In most circumstances, a subordinate would not be considered a disinterested third party.
- c. Remove: the employee removes themselves, or is removed, from the matter.
- d. Relinquish or Resign: the employee relinquishes the private interest that is creating the conflict. Where relinquishing the interest is not possible (e.g. relationship with family) and the conflict cannot be managed in the public interest using one of the other options above, the employee may consider resigning.

(27) The staff member with the conflict of interest will be required to undertake actions agreed in the Management Plan to appropriately mitigate or remove the risk as appropriate. Staff and supervisors are responsible for ensuring the conflict of interest management plan is implemented.

(28) Where a conflict of interest is determined to be of high risk, for example where the conflict of interest cannot be readily minimised or removed through a conflict of interest management plan, the declarant's manager/supervisor must notify and consult with People and Culture.

### **Monitor conflicts of interest**

(29) All staff must remain aware of existing or emerging conflicts in the course of executing their duties and proactively identify actual, potential or perceived conflicts of interest risks, declaring and managing these in accordance with Conflict of Interest Policy and this Procedure.

(30) Staff and their manager/supervisor will review Conflict of Interest Management Plans regularly to ensure they remain effective and will include such discussions as part of VU Develop meetings.

## **Part C - Oversight**

### **Maintenance of the conflict of interest register**

(31) Conflict of interest disclosures and management plans will be recorded within a central COI Register that is maintained by People and Culture.

(32) The Chief Risk Officer (or delegate) will periodically review the Conflict of Interest Register, and supporting declaration forms and management plans, for compliance with the Conflict of Interest Policy and this Procedure.

(33) VU collects and holds personal information in the COI Register solely for internal use and for the purposes of complying with this Policy. Information will be managed in accordance with the [Privacy Policy](#).

(34) Academic Quality and Standards may periodically monitor compliance with the [Staff-Authored Texts Procedure](#).

## **Section 7 - Supporting Documents and Information**

(35) Conflict of Interest Policy

(36) [Conflict of Interest Declaration form](#)

(37) [Appropriate Workplace Behaviour Policy](#)

(38) [Staff-Authored Texts Procedure](#)

(39) [Fraud and Corruption Control Policy](#)

(40) [University Council - Conduct of Council Business and Standing Orders Procedure](#)

(41) [Higher Degree by Research Supervision Policy](#)

(42) [Gifts, Benefits and Hospitality Procedure](#)

(43) [Privacy Policy](#)

(44) [Purchasing Procedure](#)

(45) [Australian Code for the Responsible Conduct of Research \(2018\) \(Cth\)](#)

(46) [Disclosure of interests and management of conflicts of interest - A guide supporting the Australian Code for the Responsible Conduct of Research](#)



## Status and Details

<b>Status</b>	Not Yet Approved
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<b>Expiry Date</b>	Not Applicable
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