

# Conflict of Interest Policy

Version number	3
Approved by	Corporate Governance Board
Date of approval	13/01/2021

## Purpose

Conflicts of interest can arise in many various and innocuous ways and do not present a threat as long as such conflicts are declared honestly and addressed proactively. Undeclared conflicts of interest risk compromising the impartiality and accountability of Sydney Institute of Higher Education (SI) operations, in serious cases leading to severe disruptions of SI's ability to deliver high-quality education. Consequently, it is important that practical and comprehensive guidelines be established to address the occurrence of conflicts of interest.

The *Conflict of Interest Policy* identifies possible instances of conflict of interest within SI and establishes the framework for the resolution of such conflicts of interest.

## Scope

This policy applies to all staff and members of the *Corporate Governance Board* and *Academic Board* at SI.

## Principles

Conflicts of interest are never entirely unavoidable and often a natural feature of organisational business. The mere presence of a conflict of interest is not deleterious.

However, all conflicts of interest must be declared openly by the party who has such a conflict, and the party to remove themselves from any decision-making that would be compromised by the conflict of interest.

All cases of conflict of interest must be treated with utmost confidentiality and fairness.

Conflicts of interest must be resolved in order to promote and protect the impartiality and accountability of decision-making and transparency and integrity of processes at SI.

## Procedures

### *Types of Conflicts of Interest*

If unsure about whether a situation constitutes a conflict of interest, the person involved should consult

with a senior staff member at SI. This is usually their immediate supervisor or the chair of the group the staff member contributes to.

In general, a conflict of interest is when a staff member is in a position to advance the objectives of multiple parties that are incompatible with each other. Conflicts of interest at SI may involve the following:

- A staff member handling the admission, programme assessment, or granting or financial support to a student with whom they have a personal or private relationship.
- A staff member handling the hiring, promotion, or performance review of another staff member with whom they have a personal or private relationship.
- Showing favouritism among students or colleagues.
- A staff member holding religious or political beliefs that affect the manner in which they carry out their duties.
- A staff member taking on external work or being involved in external partnerships that affect their duties.
- A staff member holding a role with one of SI's competitors that compromises SI's ability to achieve its objectives.
- A staff member handling or providing advice on financial transactions that could benefit them personally.

### ***Reporting Conflicts of Interest***

Staff are expected to disclose all conflicts of interest, both potential and actual, to their respective manager as soon as possible.

Students and staff should report conflicts of interest to the Provost. Board or committee members should report conflicts of interest in the manner outlined in their respective Terms of Reference or otherwise to their Board or Committee Chair or Company Secretary.

### ***Managing conflicts of interest***

Where a conflict of interest is present among a decision-making body (such as a Board or committee) that conflict of interest should be recognised at the commencement of the meeting and recorded in that meeting's minutes.

On receiving and recording a report of a conflict of interest, SI will take steps to reduce the risk of the conflict of interest affecting SI's operations. These steps may include:

- Inviting the staff member to remove themselves from relevant decision-making processes.
- Involving an impartial party to replace the staff member in affected duties.
- Provide the staff member with support to ensure the conflict of interest does not unduly affect their duties.

### ***Breach of policy***

Where it becomes apparent that a conflict of interest has not been disclosed as per the *Conflict of Interest Policy*, especially in the event that this leads to a disruption to SI's operations, SI may:

- Require the person involved to undergo additional training to prevent further offences
- Issue an official written warning without a probation period.
- Issue an official warning with a probation period, during which time any further offence will result in suspension or termination of employment.
- Issue an official warning and suspension of employment.
- Terminate the employment contract of the person involved.

The extent of disciplinary action will be determined on a case-by-case basis by the appropriate Board or Committee based on the level of malicious intent and the effect on SI's operations.

## Policy Implementation and Monitoring

The *Corporate Governance Board* delegates responsibility for the day-to-day implementation of this policy to the Executive Management Team, the President, Provost, and all Committees, as outlined in 'Procedures' above.

The *Corporate Governance Board*, in accordance with the *Compliance Calendar*, will review all periodic reports and seek advice from relevant committees and staff members.

Additionally, the *Corporate Governance Board* will review all relevant student complaints, concerns raised by staff members, and instances of student or staff misconduct on an ongoing basis.

The *Corporate Governance Board* must ensure that findings from monitoring activities are taken into account in planning, quality assurance and improvement processes.

## Definitions

**Conflict of interest:** A situation in which an individual stand to gain personal benefits if they exercise their authority in a position or body to obtain a particular result.

**Corporate Governance Board:** The SI governing body responsible for the oversight of all SI operations, including the direction-setting, quality assurance, monitoring, and improvement of academic and non-academic operations. It delegates responsibility for academic matters to the *Academic Board*.

## Review Schedule

This policy will be reviewed by the *Corporate Governance Board* every three years.

Version History				
Version number:	Approved by:	Approval date:	Revision notes:	Next review date:
1	Corporate Governance Board	4/09/2017		
2	Corporate Governance Board	16/10/2017		16/10/2020
3	Corporate Governance Board	13/01/2021	No change. Periodic Review.	13/01/2024

## ▲ Related Documents

☞	<a href="#">Academic Governance Policy</a>
☞	<a href="#">Conflict of Interest Policy</a>
☞	<a href="#">Corporate Governance Policy</a>
☞	<a href="#">President</a>
☞	<a href="#">Provost</a>
☞	<a href="#">Admissions Committee - Terms of Reference</a>
☞	<a href="#">Audit and Risk Committee - Terms of Reference</a>
☞	<a href="#">Corporate Governance Board - Terms of Reference</a>
☞	<a href="#">Learning and Teaching Committee - Terms of Reference</a>
☞	<a href="#">Program Advisory Committee - Terms of Reference</a>
☞	<a href="#">Program Monitoring Committee - Terms of Reference</a>
☞	<a href="#">Academic Board - Terms of Reference</a>

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