

Conflict of Interest Declaration and Management Procedure

Section 1 - Context

(1) This procedure details the requirements for identifying, documenting and managing actual, perceived and potential conflicts of interest.

Section 2 - Authority

(2) Authority for this document is established by the [Conflict of Interest Policy](#).

Section 3 - Scope

(3) The procedure applies to all staff of all entities of the RMIT Group where:

- a. staff identify actual, perceived or potential conflict of interest (COI); or
- b. are directed to make a declaration because of involvement with a specified activity or process identified as high risk.

Section 4 - Procedure

Identifying Conflicts of Interest

(4) Staff are responsible for identifying potential conflicts of interest during their activities as soon as the actual, potential or perceived conflict becomes apparent. Triggers for identifying conflicts might include, but are not limited to:

- a. personal relationships with students or other staff, including contractors
- b. financial interests in organisations with which RMIT is engaged
- c. the presentation of a gift or benefit from a third party
- d. the offer of secondary employment
- e. applicant staff interview or selection process
- f. supervising a HDR candidate
- g. engagement with a previous employer or employee
- h. recommending or prescribing self-authored resources to students required to fulfil course requirements (from which a financial benefit is derived).

See also Schedule 1 of the Policy.

(5) Business functions will manage any actual, potential or perceived conflicts of interest that occur during specified activities, by identifying staff required to complete a COI declaration. Specified activities include, but are not limited

to:

- a. developing Terms of Reference, Scope or similar documents for a tender process
- b. executing contracts for the delivery of projects, programs and change management activities
- c. procurement activities
- d. the expenditure of funds for gifts, benefits and hospitality
- e. staff or contractor recruitment, selection and promotion activities
- f. developing commercial arrangements such as directorships and the purchase of shares or controlling interests
- g. research activities conducted on behalf of corporate entities.

(6) The Executive Director, Property Services and Chief Procurement Officer will identify potential conflicts of interest that may occur during the procurement of goods and services.

(7) Staff may liaise with People team (People) or the appropriate manager for further information regarding what activities might - or might not - constitute a conflict of interest and treatment options.

Documenting Conflicts of Interest

(8) Staff onboarding processes will make available the opportunity to declare actual, potential or perceived conflicts of interest at the earliest opportunity.

(9) Staff must complete a Conflict of Interest Declaration Form as soon as actual, potential or perceived conflicts of interest are identified.

(10) Managers may instruct staff involved in specified activities to complete a Conflict of Interest Declaration Form where they identify there is an actual, potential or perceived conflict of interest, at their discretion.

(11) The Executive Director, Property Services and Chief Procurement Officer will manage the COI declaration from all staff or external parties participating in RMIT market engagement.

(12) Staff must submit the completed Conflict of Interest Declaration Form to the relevant manager for review and action as soon as practicable.

(13) Managers must ensure all declared conflicts of interest are treated as confidential.

(14) Staff wishing to prescribe or recommend a self-authored learning resource must, in addition to submitting a declaration, make a submission to their School Learning and Teaching Committee for endorsement. Submissions will be further considered by the College Deputy PVC Learning and Teaching, and the DVCE or delegate for endorsement and approval. The submission must address the matters set out within the Self-Authored Learning Resources: Conflict of Interest Disclosure Guidance Materials.

Managing Conflicts of Interest

(15) Managers must respond to identified conflicts of interest - whether on behalf of business functions or arising from declarations of direct reports

(16) Managers responsible must develop appropriate strategies for the mitigation of identified risks. Treatment options should consider the [Schedule 1 - Actual, Perceived and Potential COI Examples](#) and may include:

- a. Permitting the activity. Ordinarily permissible activities may include, but are not limited to:
 - i. participation in scientific or professional association activities, editorial responsibilities, or service on scientific review boards and panels

- ii. acceptance of honoraria for commissioned papers and occasional lectures, so long as the Gifts, Benefits and Hospitality Policy is followed
 - iii. engagement in secondary employment such as sessional or casual teaching (provided the arrangement does not contravene other Talent and Culture policies)
 - iv. service as a consultant to outside organisations (provided the arrangement does not contravene other Talent and Culture policies)
 - v. service on boards and committees of organisations (public or private) that does not unduly distract staff from their University obligations.
- b. Restricting the involvement of the relevant business area or staff member in activities which may constitute an actual, potential or perceived conflict of interest.
 - c. Recruiting an independent third party – be it a consultant, disinterested business unit, team or staff member – to administrate activities which may constitute an actual, potential or perceived conflict of interest.
 - d. Removing the business area or staff member with a conflict of interest from the process or system at risk on whatever basis is appropriate to mitigate or eliminate the risk.
 - e. Relinquishing or resigning positions or responsibilities where the source of an actual conflict of interest cannot be removed – such as conflicts of interest triggered by interpersonal relationships. This is a last resort treatment option and People must be consulted.

(17) Managers must document and monitor any potential risks and agreed treatment options.

(18) Managers have discretion to re-negotiate appropriate treatment options if circumstances change.

(19) If the declared actual, perceived or potential conflict of interest is of a kind that places significant risk to the University's best interests or contravenes the [Code of Conduct](#), the manager must refer the matter up the management line for approval of any treatment option.

(20) Managers may liaise with People and Policy Advisory for advice.

Handling Breaches

(21) Managers have discretion with respect to responding to the occurrence of conflicts of interest where these were not appropriately identified and declared by the relevant business area or staff member.

(22) Where a manager becomes aware of an actual conflict of interest of a direct report that cannot be, or has not been, resolved through a treatment plan, they must contact People at the earliest opportunity.

(23) People will manage responses to breaches of this policy in accordance with relevant policies and enterprise agreements.

Section 5 - Resources

(24) Refer to:

- a. [Online declaration portal](#)
- b. [Self-Authored Learning Resources: Conflict of Interest Disclosure and Guidance Materials](#)

Section 6 - Definitions

Financial interest	Any right, claim, title or legal share in something having a monetary or equivalent value. Examples of financial interest include, but are not limited to, shares, share options, and the right to receive remunerations such as salary, consulting fees, allowances, discounts and the like.
Specified activity	Describes a business activity or process such as projects, grants or scholarships that may create a new relationship or change the way staff interact with internal or external stakeholders.
Self-authored learning resource	Describes any learning resource or part thereof (such as chapters) that is authored by a staff member.

Status and Details

Status	Historic
Effective Date	19th October 2020
Review Date	22nd November 2021
Approval Authority	Chief Operating Officer
Approval Date	26th August 2020
Expiry Date	28th March 2021
Policy Owner	Michael Vanderheide Chief Operating Officer
Policy Author	Tom McLeod Chief Audit and Risk Officer
Enquiries Contact	Central Policy