

Conflict of Interest Declaration and Management Procedure

Section 1 - Context

(1) This procedure details the requirements for considering, identifying, disclosing, 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 when:

- a. considering and identifying actual, perceived or potential conflict of interest;
- b. disclosing and documenting conflicts of interest; and
- c. managing declared conflicts of interest.

Section 4 - Procedure

Identifying Conflicts of Interest

(4) Staff are responsible for considering conflicts of interest in all possible areas relevant to their position and role at RMIT and identifying actual, perceived or potential conflicts as soon as possible.

- a. [Schedule 1](#) provides non-exhaustive examples of common conflict types and situations.
- b. Staff engaged in research and research training activities must also refer to the [Australian Research Council Conflict of Interest and Confidentiality Policy](#).

(5) Triggers for identifying conflicts that require disclosure include, but are not limited to:

- a. personal, professional or business relationships with staff, students, or third parties providing goods and services to RMIT;
- b. current affiliation or association with other organisations or institutions, even if there is no actual commercial interest or another professional or personal benefit;
- c. consultancies;
- d. membership on boards, committees or advisory groups of other organisations;
- e. financial interests in organisations with which RMIT is engaged or may become engaged with;
- f. the presentation of a gift or benefit from a third party;

- g. professional positions such as secondary employment or self-employment;
- h. participation in applicant interview or selection process;
- i. supervision of Higher Degree by Research (HDR) candidate(s) (RMIT and non-RMIT);
- j. nomination and engagement of external examiners for RMIT HDR candidates;
- k. current or past associations with a foreign-sponsored talent program;
- l. current associations or affiliations with a foreign government, foreign political party, a foreign state-owned enterprise, foreign military or policy organisation;
- m. other relational interests; or
- n. recommending or prescribing self-authored resources to students required to fulfill course requirements (from which a financial benefit is derived), explained in the [Self-Authored Learning Resources: Conflict of Interest Disclosure Guidance](#).

(6) Business functions must consider and manage any actual, perceived or potential conflicts of interest that occur during specified activities, by identifying and directing staff to complete a conflict of interest 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. foreign financial support (cash or in-kind) for research-related activities; or
- h. research activities conducted on behalf of corporate entities.

(7) Business functions must consider and manage any actual, perceived or potential relational interests that may impact the integrity of activities, including but not limited to:

- a. research and research training supervision;
- b. staff recruitment and selection processes;
- c. student or former students hired as staff; or
- d. RMIT volunteer arrangements.

(8) The Executive Director, Property and Campus Operations has oversight of the process for potential or perceived conflicts that may occur during the procurement of goods and services.

(9) In accordance with the [Conflict of Interest Policy](#) and [Code of Conduct](#) staff are expected to discuss with their manager what activities might or might not give rise to an obligation to declare and treatment options.

(10) Staff may also seek advice directly from the People team (People) through HR Assist or the relevant HR Business Partner.

Documenting Conflicts of Interest

(11) Staff onboarding processes must provide incoming staff the opportunity to disclose and document actual, perceived or potential conflicts of interest at the earliest opportunity.

(12) Staff must complete a [Conflict of Interest Declaration](#) (Declaration) documenting the conflict type and nature as soon as practicable after an actual, perceived or potential conflict of interest is identified and submit it to the relevant manager for review and action.

- (13) Staff must review any Declaration made every 12 months and disclose to their manager any changes to the activity or interest including whether the conflict no longer exists.
- (14) Where line management changes occur, staff are required to disclose to their new manager any existing Declaration as soon as practicable and may be directed to re-submit a Declaration to their new manager.
- (15) Managers may instruct staff involved in specified activities to complete a Declaration where they identify there is an actual, potential or perceived conflict of interest, at their discretion.
- (16) The Executive Director, Property and Campus Operations manages declarations from all staff or external parties participating in RMIT market engagement.
- (17) Managers must ensure all declared conflicts of interest are treated with sensitivity and in accordance with the Staff Privacy Statement.
- (18) Staff who seek 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 DVC Education 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

- (19) Managers:
- a. must consider and respond to identified conflicts of interest - whether on behalf of business functions or arising from disclosures made informally or by Declaration
 - b. must direct staff to submit a Declaration where an informal disclosure identifies an actual, perceived or potential conflict of interest
 - c. are expected to refer to requirements under other policies, procedures, or processes that may apply to provide direction to direct reports and consider proposed treatment options
 - d. must develop appropriate strategies for the mitigation of identified risks in relation to a declared conflict of interest
 - e. must document and monitor any potential and agreed to treatment options including from discussion with the manager one-level above, HR Business Partner, or Chief Audit and Risk Officer (CARO)
 - f. have the discretion to re-negotiate appropriate treatment options if circumstances change or existing treatments are ineffective or no longer apply.
- (20) Treatment options should consider [Schedule 1 - Actual, Perceived and Potential COI Examples](#) and may include:
- a. Permitting the activity. In many cases, registering the activity or interest by completing a Declaration is enough. 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, perceived or potential 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, perceived or potential 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.

(21) If the declared actual, potential or perceived 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, and consult the Chief People Officer, CARO or their delegates.

(22) For research and research training activities, managers may liaise with Research Services and Research Training Services for advice on treatments and requirements specific to research and research training.

(23) Managers may liaise with People for advice.

(24) Where a conflict of interest arises between the manager and their direct report, it must be referred up the management line.

Handling Breaches

(25) 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.

(26) 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.

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

Whistleblower reports

(28) The CARO or their delegate investigates conflict of interest matters linked to whistleblower reports as the authorised Whistleblower Protection Coordinator in accordance with the [Whistleblower Procedure](#).

Section 5 - Schedules

(29) Refer to the following documents which are established in accordance with this Procedure:

- a. [Schedule 1 – Actual, Perceived and Potential Conflict of Interest Examples](#).

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.
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Relational interest	Describes non-financial interests related to pre-existing personal or professional relationships that can cause influence or affect the way staff interact with internal and external stakeholders.
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

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Policy Owner	Clare Lezaja Chief Financial Officer
Policy Author	Briony Lewis Executive Director, Governance, Legal and Strategic Operations
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Glossary Terms and Definitions

"RMIT Group" - The University, its controlled entities and strategic investment vehicles (known as the RMIT Group).