Conflict of Interest Policy

Section 1 - Purpose

(1) The purpose of this policy is to outline how RMIT identifies and manages actual, potential and perceived conflicts of interest to minimise risk, protect the interests of the RMIT Group and maintain public trust in the integrity of its operations.

Section 2 - Overview

(2) Staff who work for or with the RMIT Group have an obligation to act in RMIT's best interests. This policy sets out the requirement to comply with this obligation and handle actual, perceived and potential conflicts of interest.

Section 3 - Scope

(3) This policy applies to all employees of the University, its controlled entities and strategic investment vehicles (known as the RMIT Group).

(4) All other affiliates who participate in activities that are reasonably connected with the RMIT Group are expected to conduct themselves in a manner consistent with this policy.

(5) These affiliates can include (but are not limited to):

a. contractors
b. consultants
c. conjoint, adjunct, emeritus, honorary and visiting appointees
d. office holders of an RMIT entity
e. members of any RMIT committee
f. volunteers
g. any other person appointed or engaged by RMIT to perform duties or functions on its behalf.

(6) For the purposes of this policy, all employees and affiliates are referred to as staff.

Section 4 - Policy

(7) A conflict of interest arises when a person's personal or external interests, duties or obligations conflict or are inconsistent or incompatible with their duties or responsibilities to RMIT. Conflicts of interest may be financial or non-financial.

(8) Conflicts of interest may be:

a. an actual conflict of interest, where a person working for or with the RMIT Group does not act in RMIT's best interests because they have another interest that they prioritise over RMIT's interests

b. a perceived conflict of interest, where a person working for or with the RMIT Group has other interests that could reasonably be perceived, or give the appearance to other people, that they may not act in RMIT's best interests (even if they do act in RMIT's best interests)
c. a potential conflict of interest, where a person working for or with the RMIT Group has other interests which may improperly influence their capacity to act in RMIT's best interests in the future
d. conflict of duties, where a person working for or with the RMIT Group is an employee, contractor, agent, member of a board, committee or advisory group of another organisation whose duties are inconsistent or incompatible with the duties in their role for or with the RMIT Group.

(9) For the purposes of this policy, the term conflict of interest includes conflicts of duty, unless stated otherwise.

(10) RMIT expects all staff to act with honesty and integrity, and to not allow any external interests or duties to compromise their obligations, responsibilities and duties to RMIT.

(11) All conflicts of interest, regardless of their nature or type, must be identified, and then disclosed and managed as soon as practical after they are identified, in accordance with the Conflict of Interest Management Procedure.

(12) RMIT acknowledges that staff engage in a wide variety of activities that benefit RMIT, the public and the individuals involved. These may give rise to a conflict of interest. This does not, of itself, imply that any wrongdoing has occurred or will occur.

Responsibilities

(13) All staff who work for or with the RMIT Group:

a. have a duty to act in RMIT's best interests
b. are responsible for considering and identifying actual, perceived and potential conflicts of interest
c. must declare any situations that give rise to an actual, perceived or potential conflict of interest
d. must take appropriate steps to adequately manage the declared conflict of interest, or
e. must withdraw from the situation which gives rise to the conflict of interest if directed to by a manager or supervisor.

(14) Direct Managers are responsible for overseeing the management of actual, perceived and potential conflicts of interest of their staff in accordance with the Conflict of Interest Management Procedure. They may seek advice from their senior leaders or the People team and Central Compliance team if they require further guidance.

(15) The People team:

a. act as first point of contact if a matter concerning the Conflict of Interest Declaration, the policy and the procedure cannot be resolved at the level of staff member and manager
b. act as consultant when staff members, managers or supervisors are uncertain about whether the proposed Management Plan (a document that details how the conflict will be managed) meets the requirements of the policy or procedure
c. seek advice from or escalate to the Central Compliance team if additional guidance is required
d. assist the Central Compliance team in managing the conflict of interest declaration process
e. are notified when there is a declaration of a conflict of interest that arises from a personal relationship between staff who work together in a direct reporting capacity.

(16) The Central Compliance team:

a. maintains a register of actual, perceived and potential conflicts of interest declared by RMIT employees and

affiliates

b. determines the process by which conflict of interest declarations are registered
c. reviews conflict of interest declarations and Management Plans for compliance with the Conflict of Interest Policy and Procedure
d. provide guidance and assistance in resolving issues regarding an actual, perceived or potential conflict
e. acts as an escalation point if a matter concerning the conflict of interest declaration, the policy and the procedure cannot be resolved by the People team or if additional guidance is required.

Section 5 - Privacy

(17) The Privacy Policy applies to any personal information collected through the register on the Conflict of Interest Declaration Form.

(18) All Conflict of Interest Declarations are treated as highly sensitive and confidential information. Access to this information is restricted to selected persons within the People and Central Compliance teams.

(19) Requests to access information from the conflict of interest register are managed and granted by Central Compliance on a case-by-case basis.

Section 6 - Policy Compliance

(20) Failure to comply with this policy and the Conflict of Interest Management Procedure may be a breach of the Code of Conduct or the Workplace Behaviour Policy.

(21) Breaches of this policy are managed in accordance with the Code of Conduct and Workplace Behaviour Policy, and may result in disciplinary action, including termination of employment.

(22) RMIT may also refer behaviour that potentially constitutes or involves criminal behaviour to relevant law enforcement agencies.

(23) There may be circumstances when an actual, perceived or potential conflict of interest becomes known after the fact of a decision or determination. In these cases, as soon as the conflict of interest becomes evident it must be disclosed to the relevant manager or supervisor.

(24) RMIT may decide to investigate the circumstances of the decision or determination, including whether a different decision or determination should be made, or if a decision should be made by a different person in another role for whom there is no conflict of interest. RMIT may also determine that an investigation should be undertaken to determine whether misconduct has occurred.

Section 7 - Procedures and Resources

(25) Refer to the following documents which are established in accordance with this policy:

a. Conflict of Interest Management Procedure
b. Conflict of Interest Procedure Schedule 1: Actual, Perceived and Potential Conflict of Interest Examples
c. Self-Authored Learning Resources: Conflict of Interest - Disclosure Guidance Materials
d. Guidance Note on Conflicts of Interest in Research.

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Status and Details

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Policy Owner	Brooke Griffin Chief of Staff to the Vice-Chancellor
Policy Author	Connie Merlino University Secretary and Academic Registrar
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Glossary Terms and Definitions

"RMIT Group" - RMIT University and its controlled entities (RMIT Europe, RMIT Online, RMIT Vietnam, RMIT University Pathways)

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