

Conflict of Interest Policy

1. PURPOSE	3
2. SCOPE.....	3
3. DEFINITIONS.....	3
4. POLICY.....	3
4.1. IDENTIFICATION	3
4.2. DISCLOSURE	4
4.3. MANAGEMENT.....	4
5. ROLES AND RESPONSIBILITIES	5
6. RECORDS MANAGEMENT	5
7. NON-COMPLIANCE	5
8. VERSION CONTROL.....	6

1. PURPOSE

This policy aims to outline Barton Business School's ("BBS") expectations regarding identifying, disclosing, and managing potential, perceived, and actual conflicts of interest. It also provides guidance in relation to addressing conflict-of-interest issues.

2. SCOPE

This policy applies to all members of BBS's Boards and Committees and all BBS staff and contractors while engaged with BBS in their official capacity.

3. DEFINITIONS

Refer to BBS's *Glossary of Terms*.

4. POLICY

A conflict of interest occurs when a person's or an entity's vested interests raise a question of whether their actions, judgment, or decision-making can be unbiased.

BBS recognises that a system for identifying, disclosing, and managing conflicts of interest increases its accountability and reduces the risk of bias, misconduct, and corruption in its operations and decision-making processes. BBS also recognises that conflicts of interest are common when exercising public responsibility and cannot always be avoided.

4.1. IDENTIFICATION

Conflicts of interest often arise in personal relationships, commercial relationships, and decision-making associated with recruitment, selection, promotion, research, procurement, and financial expenditures.

The representatives of BBS must proactively recognise and evaluate their personal interests in relation to BBS's operations. A conflict of interest may occur when connections, competition, or overlap occurs between a BBS representative's personal interests and their professional obligations. The result may be that BBS is disadvantaged or that BBS Board members, staff, or contractors have or are perceived to have an unwarranted influence on the way they perform their professional obligations.

In identifying a conflict of interest, the question must be whether a rational, unbiased observer would think that a personal interest appears to conflict or does conflict with the individual's professional obligations.

4.2. DISCLOSURE

Where uncertainty arises in identifying a conflict of interest, BBS representatives must disclose it to their supervisor or manager. Conflicts of interest must be disclosed quickly and transparently. A written record of the disclosure must be kept.

The methods for disclosure and recording disclosures are outlined below. In some cases, a matter should be disclosed in multiple ways.

- a. Board and Committee members: Conflicts of interest must be disclosed to the Chair of the relevant board and committee in accordance with the relevant Terms of Reference.
- b. Specific process or matter: BBS representatives participating in specific processes, such as recruitment or academic promotion panels, must disclose conflicts of interest to their supervisor or manager prior to or at the meeting. The disclosure must be recorded in relevant minutes, reports, or other written documents of the meeting or process. If appropriate, the management's response to the conflict of interest must also be documented (for example, a notation that the individual abstained from voting).
- c. Ongoing conflicts of interest: Longer-term or ongoing conflicts of interest beyond a specific process or matter must be disclosed by BBS representatives to their supervisor or manager as they arise or change in nature.

4.3. MANAGEMENT

The relevant supervisor or manager must review the disclosure of a conflict of interest, determine whether it exists, and manage it appropriately.

- Assess the risk: Consider the level of risk posed by the conflict of interest. The following factors must be considered when assessing the risk:
 - i. the extent of the individual's influence and involvement;
 - ii. type of workplace activity undertaken and relevant work area;
 - iii. potential consequences;
 - iv. a deviation from process; and
 - v. how easily and how much a personal interest can be favoured.
- Consider the options for managing the conflict of interest: Measures must be taken to manage a conflict of interest. For many low-level risks associated with a conflict of interest, disclosure and recording are the only management action required.
- Implement and monitor: The primary responsibility to adhere to this policy rests with the BBS representative who has a conflict of interest. Their supervisor or manager is responsible for monitoring whether this policy is implemented and followed, which includes monitoring changes in a conflict of interest.

- Managing confidentiality and privacy: Managing conflicts of interest involves disclosing private information, such as personal finances and relationships. Information held may be used for BBS's purposes, including compliance monitoring, reporting, auditing, and other purposes required by legislation or government. Information from any disclosure must be managed according to BBS's *Privacy Policy*.

5. ROLES AND RESPONSIBILITIES

The Chief Executive Officer ("CEO") ensures that all BBS representatives are aware of their responsibilities regarding conflict of interest. The CEO is responsible for ensuring that the disclosure made by employees is kept and maintained in their personnel files.

The Board of Directors is responsible for implementing, monitoring, reviewing, and ensuring compliance with this policy.

6. RECORDS MANAGEMENT

Records must be managed per the *Records Management Policy* and retained for the minimum periods specified in the *Records Management Policy*.

7. NON-COMPLIANCE

Non-compliance with the provision of this policy, including refusal to take any reasonable action to resolve a conflict of interest, may constitute misconduct that results in either disciplinary action or termination of employment.

Breaches of this policy may result in referral to an external statutory authority or agency.

8. VERSION CONTROL

Document title	Conflict of Interest Policy	
Approved By	The Board of Directors	
Date of Review	This document is to be reviewed every two years at a minimum from the date of final approval	
Related Documents	<ul style="list-style-type: none"> • Admission Policy and Procedures • Credit and Recognition of Prior Learning Policy and Procedures • Delegations Policy • Diversity, Equity & Inclusion Policy • Enrolment Policy and Procedures • Learning and Teaching Plan • Privacy Policy • Risk Management Policy and Framework with Register • Staff Code of Conduct • Staff Complaints and Appeals Policy and Procedures • Student Academic Integrity Policy and Procedures • Student Complaints and Appeals Policy and Procedures • Terms of Reference - Academic Board • Terms of Reference - Audit and Risk Committee • Terms of Reference - Board of Directors • Terms of Reference - Course Advisory Committee • Terms of Reference - Learning and Teaching Committee 	
Related Legislation and References	<ul style="list-style-type: none"> • Higher Education Standards Framework – (Threshold Standards) 2021 – [Domain 6 Governance and Accountability] • Conflict of Interest Policy – Human Resources Education and Training Victoria State Government • Higher Education Support Legislation Amendment (Student Loan Sustainability) Act 2018 	
Version	Notes	Date Approved
1.0	<ul style="list-style-type: none"> • First draft was presented and approved in the BoD003 meeting. 	09/08/2022
1.1	<ul style="list-style-type: none"> • Document approved subject to changes to minor changes in 4.1, 4.2 and 4.3. 	11/09/2023