



Conflict of Interest Policy

1. Purpose

- 1.1 This policy aims to outline potential and actual conflicts of interest issues in Western Sydney University International College (WSUIC) context with a view to generating increased awareness and understanding, and to provide protection for both WSUIC and the individuals concerned.
- 1.2 The objectives of this policy are:
- a) to protect WSUIC's interest in impartial and objective decision making;
 - b) to protect the reputation of WSUIC by maintaining ethical standards of good judgement, fairness and integrity in all its dealings; and
 - c) to ensure that staff always observe the highest standard of business ethics.

2. Scope

- 2.1 This document applies to staff, students and other representatives of WSUIC charged with carrying out its activities and functions, and should be read in conjunction with the **WSUIC Staff Code of Conduct** which establishes WSUIC's broad ethical framework and values, and other applicable policies, procedures and guidelines.
- 2.2 Sessional teaching staff may be exempt from this policy if the conflict of interest is unavoidable due to the sessional status of their employment.

3. Definitions

3.1 "Conflict of Interest"

Refers to a potential or actual conflict between official WSUIC duties and private interests and personal relationships, where the private interests or personal relationships could improperly influence the way in which a person carries out their official duties.

3.2 "Financial Benefit"

Benefit in the form of remuneration, payment or gift received by a staff member that is in addition to salary paid by the International College. Financial benefits might also include investments, ownership or directorship of any companies, consultancies, provision of goods or services, receipt of royalties or other consideration, etc.

3.3 "Personal Relationships"

Relationships with individuals or people that extend outside of the International College or International College duties, or a relationship where a reasonable person might perceive that there could be some bias, either positive or negative, resulting from that relationship.



3.4 “Private interests”

Refers to any interests that involve potential gain or loss (financial or non-financial) for an individual or for any other person or organisation that individual may wish to benefit (e.g. family, friends, associates) or disadvantage (e.g. competitors, rivals)

3.5 “WSUIC”

Refers to Western Sydney University International College

4. Policy Statement

4.1 WSUIC promotes, through the **WSUIC Staff Code of Conduct** and other policies, an environment that is values-based, founded on the principles of honesty, transparency, responsibility, fairness and accountability, to maintain the integrity of its decision-making processes.

4.2 Conflicts of interest may affect or have the appearance to affect sound and professional judgement adversely. Conflicts of interest or perceived conflicts of interest, both actual and potential, must be declared and managed to ensure integrity and transparency.

4.3 Staff members, students and other individuals who are charged with carrying out WSUIC activities and functions have a responsibility to declare and manage conflicts of interest as they arise.

4.4 Staff members also have a responsibility to avoid activities or actions in relation to students that may impair objectivity, compromise academic standards, impede student development, or risk exploitation of the student, or that may be perceived to do so.

4.5 Individuals who are considered to have breached WSUIC requirements regarding the management of conflicts of interest, as set out in this policy, the **Staff Code of Conduct**, or other WSUIC policies or procedures, may be subject to disciplinary action.

5. Declaration of a Conflict of Interest

5.1 All individuals are responsible for identifying, declaring and managing conflicts of interest that apply to them. **Navitas Conflict of Interest Declaration by Employees** must be completed when declaring conflicts of interest.

5.2 The existence of a conflict of interest doesn't mean that something improper will automatically occur.



- 5.3 On an annual basis, in July the College Director and Principal on behalf of the Board will invite all WSUIC staff to declare any real, potential or perceived conflicts of interest. See **Navitas Conflict of Interest Declaration by Employees**. Any disclosure that is considered a conflict of interest by the College Director and Principal will be addressed and managed by the College Director and Principal. This may include affirmative action or escalation to the Board of Directors for review and a ruling.
- 5.3.1 Any declarations will be recorded and made available to the WSUIC Board of Directors if requested.
- 5.4 The primary obligation is to disclose in writing the potential conflict of interest immediately. Failing to disclose a potential conflict of interest appropriately could be regarded as misconduct.
- 5.5 Managers and Chairs of committees/panels/groups and other responsible parties are accountable for ensuring that declared conflicts of interest, real, potential or perceived, are evaluated and managed appropriately.
- 6. Managing Conflicts of Interest**
- 6.1 If a staff member at any time believes or suspects that a conflict of interest exists or potentially exists, the staff member should seek advice immediately from their respective Manager. If the Manager believes a conflict of interest exists, then he/she must direct the staff member to detail in writing the nature of the conflict.
- 6.2 Once a conflict of interest is identified, a management plan should be developed to resolve or manage the conflict of interest as a matter of priority. A management plan states matters including:
- a) the nature of the staff member's personal interest;
 - b) the interest/s of WSUIC with which the staff member's personal interest do or could conflict;
 - c) the likelihood of the interests actually coming into conflict;
 - d) the decisions or actions which the staff member agrees to avoid doing and participating in; and
 - e) the decisions or actions which it is agreed the staff member can take or do.
- 6.3 Where Managers and Chairs of a committee/panel/group, other relevant person or body becomes aware of a conflict of interest (or perceived conflict of interest) that has not been declared they should discuss the matter at that point in time with the individual and if appropriate put in place a risk management strategy.
- 6.4 Where circumstances affecting a declared conflict of interest change, any declarations should be amended accordingly, and the risk management strategy revised, as appropriate.



- 6.5 The best way in which to manage a conflict of interest is to avoid it. Depending on the circumstance a range of risk management strategies can be implemented, including:
- a) appointing an independent third party to review or oversee the activity or action;
 - b) allowing or making an opportunity available for an individual to step down from the task, meeting or item in order to avoid the conflict of interest;
 - c) appointing another person or persons to a panel/committee/team;
 - d) asking the individual to relinquish or quarantine the personal interest;
 - e) removing the individual from the decision making process or duties in regard to the matters to which the conflict of interest relates; or
 - f) individuals absenting themselves from or not taking part in debate and/or voting in committees/boards on matters relating to the conflict of interest.
- 6.6 Conflicts of interest are often obvious but where there is uncertainty on whether a conflict of interest exists, parties should:
- a) consider whether the action or activity is consistent with WSUIC's values as outlined in the **WSUIC Staff Code of Conduct**;
 - b) consider whether the action or activity is consistent with community values, standards and behaviours;
 - c) consider how the action or activity might look to other people who care about the decision or outcome, or to other people who come to know about it;
 - d) consider whether the relationship or interest might compromise an individual's ability to exercise sound judgement; and/or
 - e) refer to information available from other sources such as the [Office of Audit and Risk Assessment](#), the [NSW Ombudsman](#) or [ICAC](#).
- 6.7 At times, a conflict of interest may not be recognised because it is a relatively minor matter. A minor matter that occurs frequently, however, may become substantial. Regardless of how minor a conflict of interest may seem; it is important to maintain an ethical approach in all circumstances.

7. Examples of Conflicts of Interest

- 7.1 The following examples are provided to develop a better understanding of the nature of conflicts of interest so that individuals will be able to recognise conflicts when they arise and take appropriate action in regard to their management.

7.2 Relationships with Students

- 7.2.1 Conflicts of interest may arise when a staff member has or enters into a dual-role relationship with a student or students. A dual-role relationship exists where staff members have a personal relationship or private interest involving a student or students.



- 7.2.2 Where a staff member has a personal relationship (as defined in this policy) with a student the following activities will almost certainly represent a conflict of interest:
- a) teaching, marking or assessing work of that student's;
 - b) undertaking administrative tasks for example, registering or accepting assessment items, processing results or invigilating exams for that student;
 - c) recommending or approving allocation of resources such as approving travel or the awarding of a prize or scholarship for that student;
 - d) participating in a process for alternative entry, for example an interview, or recommending or approving the outcome of such a process for that student;
or
 - e) participating in misconduct or disciplinary proceedings for that student.
- 7.2.3 Whilst it is appropriate for staff members to establish good rapport with students, staff members should avoid actions or activities that may lead to the perception of favouritism or unfairness. Examples include:
- a) allowing access to WSUIC resources not normally available to students, for example allowing students to use staff computers, staff offices or staff logins;
 - b) excessive socialising with a student(s) outside of class;
 - c) lending money to or borrowing money from a student or students; and
 - d) giving gifts to or accepting gifts from a student or students.
- 7.2.4 Where any WSUIC staff member offers or provides private tuition for a WSUIC student or students, whether or not for financial gain, this will be deemed a direct conflict of interest and appropriate action taken.

7.3 External or Additional Work

A conflict of interest issue can arise in the context of staff undertaking other work in addition to their substantive role with WSUIC because such work may compete with or be incompatible with WSUIC's activities.

7.4 Employment Matters

- 7.4.1 In terms of human resource management, problematic areas that can lead to conflicts of interest relating to personal relationships (as defined in this policy) that should be declared and managed include:
- a) participating in a selection process, for example as a member of a recruitment committee, promotions committee or as an approving officer, where one has a personal relationship with an applicant;
 - b) recommending or approving development opportunities, funding, travel, or the allocation of resources, for example, where one has a personal relationship with another employee who stands to lose or gain, dependent on the outcome;



- c) engaging temporary or casual staff where there is a personal relationship with the person approving the appointment or with another staff member known to the person approving the appointment;
- d) conducting performance appraisals, for example, where one has a personal relationship with the employee who is the subject of the appraisal; and
- e) participating in disciplinary proceedings as a member of the investigation committee, as the approving officer or as the employee charged with carrying out resultant actions (punitive or non-punitive), where one has a personal relationship with the complainant or the respondent.

7.4.2 Employment of an individual who has a personal relationship with a current staff member warrants careful attention. Alternative supervision and reporting arrangements must be put in place where the parties are working in the same area.

7.5 Financial Transactions

7.5.1 In terms of financial transactions, conflicts of interest occur where a benefit or bias, or the appearance of such, results from a decision because of an individual's private interests or a personal relationship with parties involved.

7.5.2 A conflict of interest also extends to using WSUIC's credit, purchasing power or facilities for purchasing goods and services, or for using WSUIC property for personal gain. This also applies to behaviours of purchasing products or services that would not normally be purchased by WSUIC by way of contractual agreements e.g. through suppliers in competition with approved "preferred suppliers" as negotiated through preferred supplier agreements where the product or service is comparable to that offered by the preferred supplier, without the direct consent of the College Director and Principal. At all times, staff with financial responsibilities should seek value for money for WSUIC and should not undertake any financial transactions that may be deemed in any way fraudulent.

7.5.3 Advice may be sought from the College Director and Principal regarding conflicts of interest in financial transactions.

7.6 Dual Interests

7.6.1 WSUIC staff members are frequently involved with external organisations that result in dualities of interest or obligation with respect to WSUIC and the other organisation. Typically, these involvements are important complements to the staff member's role with WSUIC. Some typical examples are:

- a) serving as a director on a controlled entity of WSUIC;
- b) serving on a board or committee of an external body, such as a government agency or higher education provider; and
- c) holding an honorary appointment with another university or higher education provider.



7.6.2 In these situations the staff member has obligations to both organisations and occasionally conflicts of interest may emerge on issues and as such, disclosure of the conflict of interest is required. In most cases the conflict of interest may be managed but, depending on the circumstances, may need to be dealt with through withdrawal from involvement in the issue of concern. In circumstances of ongoing conflict situations, re-consideration of continuance in both roles will be needed.

7.7 Business and Professional Interests

Where staff have business and/or professional interests, whether paid or unpaid, separate to their role at WSUIC, it is important that these do not conflict with their WSUIC employment.

7.8 Access to Personal Records and Information

During the course of their work with WSUIC, staff will have access to personal information. Staff should only access and use information that they specifically need to undertake their duties. Access and use of personal information is covered by privacy law and **WSUIC's Privacy Policy**. A direct conflict of interest results where staff members use any information that they have access to regarding the business operations of WSUIC for personal reasons.

8. Quality and Compliance

- 8.1 This policy is reviewed periodically (at a minimum every two years) to ensure regulatory compliance, operational currency, the identification of continuous improvement opportunities and risk identification and mitigation. This review is reflected in WSUIC's Quality Management Framework and Risk Management Framework.
- 8.2 This policy will be available on the WSUIC website for students and the WSUIC SharePoint site for staff access.
- 8.3 Emails will be issued to all staff to inform and update them on any changes to the policy and/or procedures and guidelines.
- 8.4 New staff will receive policy information during the induction process where it relates to their position.

9. Related Forms and Documents

- Navitas Conflict of Interest Declaration
- Conflict of Interest Register

**10. Related Policies, Procedures, Guidelines and Legislation**

- 🔗 POL 21 WSUIC Staff Code of Conduct
- 🔗 POL 37 WSUIC Privacy Policy
- 🔗 POL 43 WSUIC Staff Disciplinary Action Policy
- 🔗 PRO 29 WSUIC Conflict of Interest Procedure
- 🔗 [Commonwealth Privacy Act](#)
- 🔗 [NSW Ombudsman](#)
- 🔗 [NSW Government Privacy Laws](#)

Approval and Amendment History

Approval Authority:	Western Sydney University International College Board of Directors
Policy Owner:	Executive
Approval Date:	23 March 2018
Date for Next Review:	13 April 2022

Amendments		
Revision Date	Version	Summary of changes
21/10/2016	1.0	New Policy Developed and Implemented
27/04/2018	1.1	Replacement of Western Sydney University International College with WSUIC throughout policy and inclusion of WSUIC in definitions (3.5). Grammatical changes throughout the document to provide clarity of purpose. Addition of Clause 2.2 Clause 4.5 addition of reference to Staff Disciplinary Policy; Clause 5.1 addition of reference to FORM 14; Clause 5.3 – additional statement to confirm action to be taken Clause 5.3 – include that ongoing declarations should be made in the first statement, thereafter to be reviewed annually. Clause 5.4 addition of word “immediately”, replacement of “Senior Manager Organisational Development” with “College Director and Principal”, and minor grammatical change regarding declaration in writing; Clause 6.5.3 replacement of “Senior Manager, Finance and Infrastructure” with College Director and Principal”; Clauses 8 and 9 Updating of related documents and policies. Clause 7.8 addition of word “specifically” Clause 8: Update name of frameworks, Addition of sub-clauses 8.2 8.3 and 8.4
14/04/2020	1.1	No amendments
25/05/2022	1.1	Regular review, no amendments