

## CONFLICT OF INTEREST POLICY AND PROCEDURE

<b>Approving authority</b>	Executive Management Team
<b>Purpose</b>	The purpose of this policy is to help the Executive Management Team members of Ozford College to effectively identify, disclose and manage any actual, potential or perceived conflicts of interest in order to protect the integrity of Ozford College and manage risk.
<b>Responsible Officer</b>	Principal and Academic Director
<b>Associated documents</b>	Governance charter Human Resource Policies and Procedure

### 1. RATIONALE

The Executive Management Team's (referred to as the 'EMT' in this policy) is the Ozford College (hereafter referred to as the College) Governing authority and as set out in the Governance charter.

A conflict of interest is where a person has direct or indirect private interests that could improperly influence, or be seen to influence, their decisions or actions in the performance of their duties. Conflicts may be actual, potential or perceived.

- An actual conflict of interest is where the decision is influenced by a conflicting interest and the decision cannot be made impartially.
- A potential conflict of interest is where the decision could be influence by a conflict of interest
- A perceived conflict of interest is where it could appear that the decision is influenced by a Conflicting interest.

### 2. SCOPE

This policy applies to the College's EMT members.

### 3. POLICY

- 3.1 A conflict of interest occurs when a person's personal interests' conflict with their responsibility to act in the best interests of Ozford College. Personal interests include direct interests, as well as those of family, friends, or other organisations a person may be involved with or have an interest in (for example, as a shareholder). It also includes a conflict between an EMT member's duty to Ozford College and another duty that the EMT member has (for example, to another Ozford entity). A conflict of interest may be actual, potential or perceived and may be financial or non-financial.
- 3.2 The College recognises that conflicts of interest are common, and they do not need to present a problem as long as they are openly and effectively managed.

3.3 The College will manage conflicts of interest by requiring EMT members to:

- avoid conflicts of interest where possible
- identify and disclose any conflicts of interest
- carefully manage any conflicts of interest, and
- follow this policy and respond to any breaches.

## **4. PROCEDURE**

4.1 The Executive Management team has responsibility for:

- establishing a system for identifying, disclosing and managing conflicts of interest across the Ozford College
- ensuring EMT members are made aware of their responsibilities
- monitoring compliance with this policy, and
- reviewing this policy on an annual basis to ensure that the policy is operating effectively.

4.2 The EMT members are made aware of their responsibilities as follows:

- All EMT members are provided an induction process prior to the commencement of role. The induction will include making the person aware of their obligation to disclose any conflicts of interest that they may have, and to comply with this policy to ensure they effectively manage those conflicts of interest as representatives of the College.
- All EMT members are reminded of their responsibility to record any real, potential, or perceived conflicts of interest in a register of interests as a part of all meetings.

4.3 Identification and disclosure of conflicts of interest

- Each EMT agenda must include an item titled Declaration of Conflict of Interest. Members must declare any conflicts of interest at the start of each meeting or before discussion of the relevant agenda item or topic. If a member considers that they have, or might reasonably be perceived to have, an interest (direct or indirect) in a matter under consideration at a meeting, the member shall notify the Chair at the earliest opportunity that they may have an interest in such matter.
- Once an actual, potential or perceived conflict of interest is identified, it must be entered into Ozford College's register of interests, as well as being raised with the EMT.
- The register of interests must be maintained by each EMT member. The register must record information related to a conflict of interest (including the nature and extent of the conflict of interest and any steps taken to address it).
- The EMT members will have access to the disclosures in the register of interests.

4.4 Action required to manage conflicts of interest

- Once the conflict of interest has been appropriately disclosed, the EMT (excluding the EMT member who has made the disclosure, as well as any other conflicted EMT member) must decide whether or not those conflicted members should:
  - vote on the matter (this is a minimum),
  - participate in any debate, or
  - be present in the room during the debate and the voting.
- In deciding what approach to take, the EMT will consider:
  - whether the conflict needs to be avoided or simply documented
  - whether the conflict will realistically impair the disclosing person's capacity to impartially participate in decision-making
  - alternative options to avoid the conflict
  - the Ozford College objects and resources, and
  - the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of, Ozford College.
- The approval of any action requires the agreement of at least a majority of the EMT (excluding any conflicted EMT member/s) who are present and voting at the meeting.
- The action and result of the voting will be recorded in the minutes of the meeting and in the register of interests.

#### 4.5 Compliance with this policy

- If the EMT has a reason to believe that a person subject to the policy has failed to comply with it, it will investigate the circumstances.
- If a person suspects that an EMT member has failed to disclose a conflict of interest, they must discuss the matter with the person in question, notify the EMT, or the person responsible for maintaining the register of interests.
- If an EMT member fails to disclose a conflict of interest, action may be taken such as issuing a warning or, if the situation is serious or there are repeat instances, the **Human Resources Policy and Procedure** sets out the consequences for breaching these requirements.

## 5. FEEDBACK

Feedback or comments on this policy and procedure is welcomed by the listed responsible officer.