



Conflicts of Interest Policy

pol-007	Version: 2.00 Last amendment: 13 Nov 2013	Approved By: Vice-Chancellor Date: 23 Feb 2011
	Next Review: 13 Nov 2016	Contact Officer: Director, Strategic Services and Governance

INTRODUCTION

The University supports the principle of academic freedom and encourages staff members to develop collegial relationships across the tertiary education sector, with government, industry and with the community. Staff members are encouraged to participate in activities such as undertaking peer reviews, writing publications, attending conferences, being members of discussion groups, professional associations, registration boards and industry advisory councils.

In an environment of collegiality, staff members have the positive obligation to protect the reputation of the University by maintaining high ethical standards, fairness and integrity in all dealings.

STATEMENT OF AUTHORITY

The authority behind this policy is the [Charles Darwin University Act 2003 \(NT\)](#) part 3, section 15.

INTENT

This Policy applies to all members of the University community who are in a position to exert influence over University resources and activities. It is important that members of the University community are able to recognise, declare and manage situations involving conflicts of interest, whether they are actual, potential or perceived.

RELEVANT DEFINITIONS

In the context of this document:

Benefit means anything which provides the staff member with a direct or indirect personal gain or the potential for personal gain, or gain to a third party that may benefit the staff member either directly or indirectly. Such a gain need not be financial; it could be a personal or a non-financial gain. Examples of a benefit may include: the provision of materials or facilities, support of individuals through the provision of benefits such as travel, gifts, entertainment, accommodation expenses, or a financial benefit;

Business Relationships means external contractual relationships, partnerships, private companies, business names or any other commercial trading activity;

Close Personal Relationship means relationships which may lead to a real or perceived conflict of interest, specifically:

- Family relationships (husband/wife, de facto partner, siblings, parent/child, relations by marriage such as brother or sister-in law);

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- Emotional relationships (which might include sexual relationships and close friendships);

Consultant means a person or organisation engaged by the University to provide goods or services. This also includes contractors;

Financial Benefit means a benefit in the form of remuneration, payment or gift received by a staff member. Financial benefits might also include investments, ownership or directorship of any companies, consultancies, provision of goods or services, receipt of royalties or other considerations;

Staff member means anyone engaged by or associated with the University and includes all permanent, casual, adjunct, honorary or contracted staff (whether full-time or part-time), volunteers or those holding University offices or who are a member of a University committee;

University community means all staff members, students, consultants, contractors and external appointees of Council, boards and committees of the University; and

Volunteer means a person not receiving remuneration as a staff or council member, who is engaged in a professional capacity to perform an activity for, or on behalf of, the University.

POLICY

Objectives

The objectives of this policy are:

- To create awareness that it is important for members of the University community to recognise, declare and manage situations involving conflicts of interest, whether they are actual, potential or perceived;
- To protect the University's interest in impartial and objective decision making;
- To protect the reputation of the University by maintaining ethical standards of good judgement, fairness and integrity in all its dealings;
- To ensure that staff members always observe the highest standard of business ethics; and
- To avoid any activity or interest that might reflect unfavourably upon a staff member's own integrity and good name, or upon the integrity and good name of the University.

Responsibility

In all interactions with other staff, students, other individuals (internal and external), contractors and consultants to the University, a member of the University community has an obligation to avoid unacceptable ethical, legal, financial and other conflicts of interest and to ensure that his or her activities and interests do not conflict with his or her obligations to the University or its welfare.

The obligation to avoid potential conflicts of interest requires a staff member:

- Not to improperly use his or her position to gain a benefit;
- Always to act so as to avoid conflicts – actual, potential or perceived – between personal interests and the interests of the University; and

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- To declare situations to a supervisor or other authorised person that might reasonably give rise to, or be perceived as, conflicts between interests or between personal interest and obligations to the University.

Conflicts do arise and as they do, staff members must then disclose such conflicts and act according to advice received from either a supervisor or other authorised person.

Without limiting the circumstances, the following are general indicators which can give rise to situations where a conflict of interest may occur. These indicators do not as a matter of course, automatically give rise to conflicts of interest, but they are examples that should compel a member of staff to reflect carefully and cautiously in his or her dealings to avoid any conflicts of interest in such circumstances:

- Decisions regarding suppliers, customers and other persons in respect of the selection and/or on-going dealings related to doing or seeking to do business with the University;
- Business or close personal relationships with competitors or businesses operating in the same area as the University or one of its units;
- Decisions regarding recruitment, appointment, promotion or other personnel decisions relating to staff members;
- Decisions and dealings with potential staff members;
- Holding memberships, directorships, executive positions, shareholdings or ownership of other companies, organisations or businesses that are in serious competition or conflict with the University;
- Close personal relationships with another staff member, student or other person associated with or contracted to the University;
- Decisions regarding students including: assessments, scholarships, prizes, examination results and other matters relating to a student's academic progress or record;
- A researcher's affiliation with, or financial involvement in, any organisation or entity, with a direct interest in the research being conducted, or the provision of materials for the research, which may result in a conflict of interest;
- Acceptance of benefits or financial benefits, for example, gifts, entertainment, travel, accommodation expenses;
- Acceptance of hospitality;
- Access to University documents and information obtained in the course of employment;
- Employment (or voluntary work) external to the University of any kind whilst still employed by the University if that work may be in conflict with the objectives of the University;
- Ownership of intellectual property;
- Circumstances where the staff member's external activities encroach on time or attention that should be devoted to the affairs of the University;

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- Requests for public comment including public speaking, comments on radio or television, opinions expressed in letters to newspapers or in books or journals, blogs, tweets, social networking sites or notices; and/or
- Use of University facilities, resources and/or and equipment for personal benefit or the benefit of a third party.

The University [Conflicts of Interest Procedures](#) provide a more detailed list and examples of what may or may not constitute a conflict of interest.

ESSENTIAL SUPPORTING INFORMATION

Internal

[CDU and Union Enterprise Agreement](#)

[Code of Ethics](#)

[Conflicts of Interest Procedures](#)

[External Work Policy](#)

[Staff - Grievance Procedures](#)

External

[ARC Guidelines for Disclosure of Interests and Confidentiality \(Commonwealth\)](#)

[NHMRC Guideline Development and Conflicts of Interest \(Commonwealth\)](#)

Policy Sponsor: Vice-Chancellor
 Policy Contact Officer: Vice-Chancellor

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Document History and Version Control

Version	Date Approved	Approved by	Brief Description
1.00	23 Feb 2011	Vice-Chancellor	Creation of original document and posting to CDU website.
1.01	09 Jan 2012	Governance	Update hyperlinks and position titles according to new organisational chart.
1.02	30 Jan 2013	Governance	<ul style="list-style-type: none"> • Conversion of document to current template and update hyperlinks. • Minor changes to wording, grammar and formatting • Assigned document number
2.00	13 Nov 2013	Vice-Chancellor	Review document and included: <ul style="list-style-type: none"> • Definition of University community • Objectives

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