

Preamble

It is expected that all College Board members and staff (including contractors, consultants and volunteers) act in the best interests of the College. A conflict of interest refers to a situation where the interests of the College compete with the private or business interests of the person. This refers to a reasonably perceived, potential or actual conflict of interest. Conflicts of interests can involve financial or non-financial interests of the staff member and the interests of the Board or staff member and/or the interests of a business partner or associate, family member, friend or a person in a close relationship with the Board or staff member.

Purpose

The objective of this policy is to ensure that actual, potential and perceived conflicts of interest are identified and managed effectively.

Policy

John Paul College is committed to ensuring that conflicts of interest are identified, documented and managed so that they do not affect the services, activities or decisions of the College.

To achieve this the College will:

- a) Develop processes to Identify and declare all conflicts of interest;
- b) Develop, implement and monitor action to appropriately manage the conflict of interest and;
- c) Report all identified conflicts to:
 - 1) The College Board for recording in the College Board minutes (For College Board members only);
 - 2) The Board sub-Committees for recording in Committee minutes
 - 3) The Conflicts of Interest Register (For staff)
 - 4) The individual's personal file (where appropriate or required); and
- d) Deal firmly with breaches of this policy.

Roles and Responsibilities

Everyone at John Paul College is responsible for identifying, disclosing and resolving conflict of interest. An agenda item is to be included at meetings of the College Board, Principal, College Leaders and Staff to provide an opportunity for disclosure and recording of action taken.

Specific responsibilities apply to:

(A) College Board

Retain awareness when conflicts of interest arise to ensure conflicts are disclosed and resolved with all pertinent details recorded in the minutes of the meetings.

(B) Principal

Ensure that the College Leadership comply with the requirements of the policy when conflicts of interest arise.

(C) Leaders and Line Managers

Provide leadership in implementing and giving effect to this policy. Facilitate compliance with this policy. Participate in conflict of interest resolution with those they supervise and lodge the resolution in the Conflict of Interest Register. Take appropriate action for breaches of this policy.

(D) General Staff including Contractors, Consultants and Volunteers

Retain awareness of potential conflicts of interest that might affect them and avoid them where possible. Promptly identify and disclose any actual or potential conflicts of interest that might be perceived to affect the proper performance of their work.

Management of Conflict of Interest

There are three key components to the management of a conflict of interest:

1. Reporting
2. Resolving and
3. Registering

1. Reporting a conflict of interest

When a person becomes aware that there may be a conflict he or she must report it to the Chair of the Board, the Principal or Line Manager as appropriate. Reporting a conflict of interest provides the College the opportunity to determine whether the issue needs to be resolved. Remember that a conflict may be actual, perceived or a potential conflict. If not managed properly, it could be damaging financially to the College and / or damage the College's reputation.

Examples of conflict of interest:

- Situations in which a Board or staff member assumes responsibilities for an outside organisation (paid or unpaid) that diverts their attention from College duties or creates other conflicts of loyalty.
- A Board or staff member accepting gifts of value, or favours from persons or associates who would be seen to benefit from the making of these gifts.
- A board or staff member purchasing goods or services supplied by a business or company associated with the particular person or a relative or close friend of that person.
- Participating in a tender for goods or services where a relative or friend or associate will be submitting a bid.
- Directly negotiating for an associate, friend or relative for them to provide goods or services to John Paul College for payment.
- Involvement in selection of an associate, relative or friend as an employee.
- Sale of an entity asset to a Board or staff member without an equitable process.

2. Resolving a conflict of interest

The main ways a resolution can be achieved are by:

- **Restricting or**
- **Recruiting or**
- **Relinquishing the conflict**

Restricting or removing the person with the conflict in the participation of decision making is an appropriate method where the conflict is not likely to arise frequently. Restriction could include one or more of the following:

- Not participating in any criteria setting or decision making role.
- Limiting access to information and/or denying access to sensitive documents or confidential information in the process.
- Withdrawing from discussion of the plan or proposal.
- Abstaining from voting on the decision.

Recruiting an independent person (or panel) to oversee all or part of the process is an appropriate method where the conflict is more significant and needs more proactive management but the person with the conflict has particular expertise and cannot be replaced.

Recruiting strategies include:

- Arranging for an independent third party to make the decision
- Requiring another person in the organisation to obtain three written quotes to compare against any bid submitted by a relative or friend or associate

- Engaging an independent third party or auditor to oversee or review the integrity of the decision-making process – this strategy is particularly appropriate where there is a reasonably perceived, but not actual, conflict of interest or the conflict on interests is only identified at or near the conclusion of the process or after the making of the decision.
- Increasing the number of people sitting on decision-making committees to balance the influence of a single member who may have a conflict of interest but who has some special reason to remain on the committee
- Seeking the view of those likely to be concerned about a potential, actual or reasonably perceived conflict of interest about whether they object to the person with the conflict having any, or any further, involvement

Relinquishing – It may be easier/preferable for the person to relinquish interest that is impacting on their capacity to carry out their role at John Paul College. However, relinquishment will not always be appropriate or even feasible and the rights of the individual need to be respected.

3. Registration of Conflict of Interest

Involves a formal process of recording disclosures of a conflict of interest in a register. A register of all conflict of interest reported will be kept by the Principal's Assistant.

Breach

A breach of this policy or a failure to disclose a conflict of interest, subject to the circumstances surrounding the breach and the nature of the conflict of interest, may result in removal from the College Board or committee or termination of employment in extreme cases.

Police ratified by College Board: 16 June 2016

Next review date: 2021

Person responsible: Policy Review Committee