



Conflict of Interest Policy

Version:	220422	Approved By	Board
Approved Date:	22/04/2022		
Approval Reference:	Board Resolution 20220422//2		
Related Policy/Procedure:	<ul style="list-style-type: none"> ➤ Academic Integrity Policy and Procedure ➤ Bullying and Harassment Policy and Procedure ➤ Equity and Diversity Policy and Procedure ➤ Staff Complaints and Appeals Policy and Procedure ➤ Student Complaints and Appeals Policy and Procedure 		

Conflict of Interest Policy

Purpose

This Policy sets out how Lyons College will deal with Actual, Indirect and Perceived Conflicts of Interest (COI).

Scope

This Policy applies to all Lyons College Board Members, Committee Members, staff and contractors of Coleraine Share Trading Pty Ltd, trading as Lyons College.

Definitions

Committee Members means all members of the Board of Directors, Academic Board, Finance Committee, Risk Committee, Course Advisory Committee and Teaching and Learning Committee or any other body or Committee set up under the Constitution of Coleraine Share Trading Pty Ltd under the authority of the Board.

Conflict of Interest (CI) means:

1. A situation that could potentially undermine an Employee's impartiality due to the possibility of a clash between that Employee's self-interest and other competing interests. The situation may involve a financial interest, other non-financial interest, professional stature, future employment or other situation where the Employee may benefit.
2. A situation in which an individual's responsibility to a second-party limits their ability to discharge their responsibility to a third-party.

Employee means all Committee Members, staff and contractors.

Policy

Lyons College views good governance as a vital part of doing business. Lyons College acknowledges that Employees may have other interests outside their relationship, obligations and responsibilities to Lyons College.

Lyons College recognises that there are different types of COI, and identifies three in relation to this Policy. The three categories of COI that Lyons College acknowledges are

1. Actual COI
2. Indirect COI and
3. Perceived COI

An Actual COI exists when there is a direct conflict between an Employee's duties and responsibilities to Lyons College and a competing interest or obligation. The Actual COI may be of a personal nature or be a commercial interest, but is directly related to the Employee.

An example of an Actual COI would be an Employee who awards a contract or service agreement to a company in which they have a direct financial interest.

Offering incentives to students or any other third parties, whether monetary or otherwise, where the student is undertaking government funded or subsidised training is considered an Actual COI. Any Employee found to have offered or inferred incentives are available for any government funded or subsidised training will be subject to disciplinary action, which may include termination.

For the avoidance of doubt, if a family member or relative of an Employee intends to enrol in any course offered by Lyons College, the Employee must disclose this to their Manager, the Chief Operating Officer or the CEO. The proposed enrolment must not proceed until it is approved by the Chief Operating Officer or the CEO.

An Indirect COI exists where an Employee has an interest or obligation, whether personal or involving a third party, that could conflict with the Employee's duties and responsibilities to Lyons College. The COI may not involve direct interest or benefit to the Employee.

An example of an Indirect COI would be an Employee who awards a contract or service agreement to a company which is owned by their spouse. In this example, there may be no direct benefit to the Employee, however an indirect benefit does exist.

A Perceived COI exists where it could reasonably be perceived, or give the appearance, that a competing interest could improperly influence the work related decisions/activities of an Employee. There may not be a direct interest or benefit to the Employee.

An example of a Perceived COI would be an Employee who awards a contract or service agreement to a company which they have no direct relationship with. However, the company may be funding research that the Employee is undertaking. Although there is no direct interest or benefit to the Employee, an indirect benefit may exist.

All Employees are expected to make declarations where any COI exists. Employees must complete a Conflict of Interest Declaration and submit it to the Company Secretary. The Company Secretary will keep a register of all declared Conflicts of Interest.

Where any form of COI exists, the Employee must not be involved in any decisions relating to that conflict.

Breaches of this Policy may result in disciplinary action, including termination in severe cases.

Version	Date	Resolution	Comments
V1.0	04/12/2018	20180412/03	Initial policy created
220422	22/04/2022	20220422/2	Policy reviewed, no major changes.

Conflict of Interest Declaration Form

I am making this Declaration in the capacity as a	<input type="checkbox"/> <input type="checkbox"/> Committee Member	<input type="checkbox"/> Staff <input type="checkbox"/> Contractor
Name		
Position		
Contact Number		Email
Address		Manager
		Manager Email
		Manager Phone
What type of Conflict of Interest are you declaring? (tick appropriate box)	<input type="checkbox"/> Actual Conflict of Interest <input type="checkbox"/> Indirect Conflict of Interest <input type="checkbox"/> Perceived Conflict of Interest	
Is the Conflict of Interest ongoing?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Please provide details of the Conflict of Interest		
Please outline what steps are being taken to address the Conflict of Interest.		
<p>I declare that to best of my knowledge, the information in this form is true and correct. I undertake to adhere to any Conflict of Interest Policy and the terms of my appointment or engagement.</p> <p>I undertake to make further declaration should a change in my circumstances give rise to an expectation of a conflict of interest.</p> <p style="text-align: center;"> _____ Date: ____/____/_____ Signature </p>		