

# Declaration of Interest Procedure - Staff and Affiliates

## Section 1 - Governing Policy

(1) This Procedure supports the [Declaration of Interest Policy - Staff and Affiliates](#) (Policy) by providing staff with practical instructions and guidelines on how to deal with potential, perceived and actual conflicts of interest and declarations concerning potential foreign interference matters.

## Section 2 - Scope/Application

(2) All ACU staff and individuals acting as affiliates for ACU are required to comply with this Procedure. Where there is a discrepancy between this Procedure and another ACU procedure, this Procedure will prevail.

## Section 3 - Identifying a Conflict of Interest

(3) A conflict of interest, which includes risks of foreign influence or interference, can occur in many different situations, traversing financial and non-financial interests.

(4) The following categories constitute matters that must be declared, eliminated, managed or relinquished as they could constitute a perceived, potential or actual conflict of interest, or a risk of foreign influence or interference:

- a. External or private financial and economic interests;
- b. Involvement with family, private or external businesses;
- c. Secondary employment;
- d. Affiliations with for-profit and not-for-profit organisations and associations;
- e. Partnerships and collaborations with other universities, agencies and non government funding bodies traversing research, education and commercialization activities;
- f. Significant family, personal or other relationships; and
- g. future employment prospects or plans.

## Section 4 - Disclosing a Conflict of Interest

### Employee and Affiliate-initiated Conflict of Interest Declaration

(5) When a staff member or affiliate identifies a perceived, potential or actual conflict of interest including a risk of foreign influence or interference, they must advise their supervisor or relevant ACU representative as soon as practicable and complete a Declaration of Interest Disclosure Form – Staff and Affiliates (Disclosure Form) via [Service Central](#).<sup>[1]</sup>

<sup>[1]</sup> The [Declaration of Interest Disclosure Form - Staff and Affiliates](#) is not meant to be identical to the form

which is used in [Service Central](#). The [Declaration of Interest Disclosure Form - Staff and Affiliates](#) is a guide to show what information is required for the declaration to be made and approved.

(6) Perceived, Potential and Actual Conflicts of interest including a risk of foreign influence or interference are defined below, can be direct or indirect, and minor or significant. Staff members and affiliates should in all instances declare any perceived, potential or actual conflicts of interest, including risks of foreign influence or interference, for assessment.

### **Perceived Conflict**

(7) A perceived conflict occurs when it could reasonably be perceived, or give the appearance, that a competing interest or obligation could improperly influence the performance of the duties and responsibilities or decisions of a staff member or of an affiliate .

### **Potential Conflict**

(8) A potential conflict of interest occurs when a staff member or affiliate has an interest or obligation that could conflict with the staff member's duties and responsibilities or decisions.

### **Actual Conflict**

(9) An actual conflict occurs when a staff member or affiliate has an interest or obligation of a competing nature that directly conflicts with their duties and responsibilities or decisions.

### **Direct interests**

(10) This includes an interest that relates to a staff member's or affiliate's own personal, family, professional, financial or business interests or relationships.

Examples:

- a. A staff member has an existing or previous intimate relationship with:
  - i. another staff member in circumstances where one staff member has, or is likely to have, any supervisory, oversight or decision-making responsibilities in relation to the other staff member; and
  - ii. a student, in circumstances where the staff member has, or is likely to have, any academic or other decision-making responsibilities in relation to the student.
- b. A staff member who is on a recruitment panel and an immediate family member is an applicant.

### **Indirect interests**

(11) An indirect interest can arise when a staff member or affiliate is obliged, or seeks, to protect or advance the interests of another person who may be a family member, personal friend or a close business/professional associate.

Examples:

- a. A staff member who is the delegate for a tendering process to purchase services for ACU has a close relationship with one of the tender bidders; and
- b. A staff member who is on a recruitment panel and their best friend's son or daughter is an applicant.

### **Minor conflict of interest**

(12) A minor conflict of interest is one in which there would be minimal impact on ACU's reputation or integrity if it were to become public knowledge or brought to the attention of an authority/regulator. This is not to be confused with

a low risk assessment in terms of the probability of something occurring but rather it has to do with the substance of the matter. A minor conflict of interest would also be one in which it would cause very little or no real impact on ACU's operations.

### **Significant conflict of interest**

(13) A significant conflict of interest is one in which the consequences for ACU, if unmanaged or undisclosed could seriously compromise ACU's integrity or reputation if it became public knowledge or constituted a breach of legislation. A significant conflict of interest could also adversely affect ACU's operations, including potential impact on its revenue sources, expenditure, and ability to provide quality services to students.

(14) Prior to lodging a declaration, a staff member or affiliate must meet with their supervisor or relevant ACU representative to discuss and assess the circumstances of their disclosure, any actions proposed by them to sufficiently deal with the perceived, potential or actual conflict, and any management plan that will be used to eliminate, minimise or manage any risk to ACU, which could include a requirement to relinquish the interest.

(15) Where a potential, perceived or actual conflict of interest has been declared and a management plan created in accordance with Section 5, this will be sent for approval to the Member of Executive responsible for the area where the staff member works. The supervisor and the supervisor's manager will also receive a copy of the declaration and its management plan so that they are aware of the plan to manage it and can monitor its implementation and efficacy.

(16) The staff member or affiliate must not take any action that could worsen the situation and they must not involve themselves in the matter that is set out in the declaration until approval has been given or instruction has been provided to minimize, implement further management plans or relinquish the conflict.

(17) The supervisor will send an email to the staff member or affiliate:

- a. acknowledging they have been advised of the conflict of interest; and
- b. documenting the strategies agreed upon to eliminate or manage the conflict of interest; or
- c. where the conflict of interest cannot be eliminated or managed, instruction to relinquish the activity that conflicts with employment or affiliation.

(18) When lodging the declaration via [Service Central](#), the staff member or affiliate will attach the assessment and decision email from their supervisor, a management plan if one has been created and any approval email from their Executive.

### **Further considerations**

#### **Conflict of Interest Arising during Recruitment and Appointment**

(19) For more information on how to address a conflict of interest during Recruitment and Appointment activities and decision, please refer to the [Recruitment and Selection Policy](#).

## **Section 5 - Strategies to Manage a Conflict of Interest**

(20) Supervisors and relevant ACU representatives must work with staff members and affiliates to develop strategies to appropriately eliminate or manage perceived, potential or actual conflicts of interests, up to and including a requirement to relinquish the interest that is in conflict with obligations to ACU.<sup>[2]</sup> Strategies to manage a staff

member's or affiliate's conflict of interest must be documented in the Disclosure Form and a copy kept in the Register.

<sup>[2]</sup> Staff and affiliates must ensure that appropriate strategies have been identified which minimise or eliminate the risk associated with the disclosure. Where a strategy is available that allows the staff member or affiliate to continue their private activity without compromising ACU's integrity, reputation or legal obligations, that strategy should be implemented.

(21) Conflict of interest management plans must help individuals:

- a. Do the right thing - in accordance with obligations under policies, procedures and public interest;
- b. ensuring the right thing is done - accountability that protects and assures the integrity of ACU; and
- c. be seen to do the right thing - transparency that enables independent oversight.

(22) There are many ways a conflict of interest can be managed appropriately, depending on the situation.

### **Register and Assess**

An important first step is to record the disclosure of a conflict of interest in the Register and assess the situation to determine whether one or more of the following strategies is required. Note: a conflict of interest may also be recorded within recruitment and procurement documents and minutes of meetings.

### **Restrict involvement**

There are circumstances where it may be appropriate to restrict a staff member's or affiliate's involvement in the matter in order to eliminate the risk e.g., by refraining from taking part in debate about a specific issue, abstaining from voting on decisions, changing a reporting line and/or restricting access to information relating to the conflict of interest. If such a situation occurs frequently and if an ongoing conflict of interest is likely, other strategies may need to be considered.

### **Independent review**

Where it is not practical to restrict involvement in a matter, an alternate senior roles holder from another business area may be able to take on the relevant role, or an independent third party may need to be engaged to participate in, oversee or review the integrity of the decision-making process. This is often seen in circumstances where the organisation will hire an external auditor to independently review the organisation's financial records or an external investigator to investigate a matter involving a high-level executive.

### **Remove**

When alternative strategies are not feasible or appropriate, the best option will be for the staff member or affiliate to be removed from any involvement in a matter altogether. This is often seen in recruitment, where a panel member has a potential or perceived conflict of interest because of a familial or personal relationship with an applicant.

### **Relinquish**

Relinquishing a personal or private interest which prompted concerns about a conflict of interest can also be a good strategy to eliminate risks associated with a conflict of interest or risk of foreign interference. For example – selling off shares or giving up membership of a club or association.

### **Resign**

If the conflict of interest cannot be resolved in any other way, or the conflict causes significant reputational or other damage to ACU that cannot be appropriately remediated, and the staff member or affiliate is not prepared to relinquish their personal or private interest, then resignation may be the only appropriate option.

## Section 6 - Continual Conflicts of Interest

(23) If a declared conflict of interest is determined to be long-term or ongoing, the declaration should be re-submitted after 12 months from the date of initial approval. However, should there be any changes to the conflict situation that was declared initially by the staff member or affiliate, a new declaration must be submitted.

## Section 7 - Approval

(24) All declarations are required to be approved by the Member of the Executive responsible for the area where the staff member or affiliate works, as per the [Code of Conduct for Staff](#).

(25) For staff members holding a level 3 management level or higher, the declaration must be made to their immediate supervisor. The Vice-Chancellor and President will need to seek approval of any declarations from the Chancellor. Please refer to the [Delegations of Authority Policy and Register](#) for management level definitions.

(26) If necessary, the approver of the declaration may consult with other ACU specialists before making a determination. The approver may do one of the following:

- a. approve the declaration and strategies to manage the conflict of interest put forward by the staff member (the plan); or
- b. approve the declaration but require additional/alternative conditions or strategies to be implemented; or
- c. decline the declaration (the staff member must cease any activity causing the conflict of interest).

(27) Depending upon the potential impact of the disclosed declaration, the approver may ask the Chief People Officer to attach a copy of the declaration to the staff member's personnel record or ask the relevant staff member to incorporate it into any contractual documentation engaging the affiliate (subject to advice from the Office of General Counsel).

(28) The staff member lodging the declaration, their supervisor and the supervisor's manager will be notified of the Executive's decision and made aware of the approved plan that needs to be followed. All staff are required to follow any conditions or additional / alternative strategies put forward by the Executive.

## Section 8 - Foreign Interference Declarations

### Application of Process

(29) The process for disclosing and managing all declarations concerning potential foreign interference matters is the same process and considerations as disclosing a conflict of interest. However, the declaration is made using the information required as described in the Foreign Interference Declaration Form via [Service Central](#).<sup>[3]</sup>

<sup>[3]</sup> As with the Disclosure Form for conflicts of interest, the [Foreign Interference Declaration Form](#) is a guide to show the type of information that is required for the declaration. The form used in [Service Central](#) may look different.

### Legal Obligations - Foreign Arrangement Schemes

(30) Any university proposing to enter an arrangement with a foreign government or foreign university that does not have institutional autonomy, must notify the Minister for Foreign Affairs. Staff members and affiliates should speak to ACUs Office of General Counsel before proceeding with any arrangements.

(31) Contractual arrangements involving Foreign Arrangement Schemes can be legally complex. Any staff member wishing to engage in an arrangement that involves a foreign party should lodge a [Service Central](#) request for legal advice from the Legal, Assurance and Governance Directorate and General Counsel before proceeding.

## Section 9 - Prevention and Response to Gender-Based Violence

(32) In accordance with the Prevention and Response to Gender-Based Violence Policy and the [Recruitment and Selection Policy](#), the University requires that:

- a. as part of their pre-employment declaration, any prospective staff member or affiliate declare whether they have been investigated for an allegation of gender-based Violence, or determined to have engaged in conduct that constitutes gender-based Violence during the course of their previous employment, or otherwise in a legal process.

## Section 10 - Updating or Ceasing a Declaration

### Updating a Declaration

(33) If changes occur to the circumstances of a previously lodged declaration of interest, the staff member or affiliate to whom the declaration applies must promptly notify their supervisor of those changes and make an updated declaration.

(34) If the changes are significant enough to require a change in how the original declaration is managed, the staff member or affiliate must submit a new declaration and follow the process as outlined in Sections 4 to 7 of this Procedure.

### Ceasing a Declaration

(35) If the circumstances of a declaration no longer exist or have changed, the staff member or affiliate is required to advise their supervisor accordingly and lodge a new [Service Central](#) request to have the relevant Register updated

(36) Declarations that are no longer active (resolved) will remain on the Register in accordance with any legal or record keeping requirements.

## Section 11 - Failure to Disclose

(37) This section refers to the reporting of undisclosed conflicts of interest and matters concerning potential foreign interference.

### Considerations

(38) An undeclared interest does not automatically equate to a breach of the [Declaration of Interest Policy - Staff and Affiliates](#) or this Procedure or the [Code of Conduct for Staff](#). There will be times when a staff member or affiliate has a conflict of interest or potential foreign interference situation but may be unaware that they do. In those situations, the concern should be raised directly with the staff member or affiliate who has the perceived, potential or actual conflict of interest or potential foreign inference risk so they can act in good faith and make the declaration themselves.

(39) Alternatively, the below section provides guidance on how to report concerns about potentially undisclosed

conflicts of interests.<sup>[4]</sup>

<sup>[4]</sup> The [Declaration of Interest Self-Assessment Guide](#) can be used as a guide in determining if another person has a conflict of interest. For example, instead of asking the question in first person, ask it in third person. i.e., replace 'I' with 'they' and 'my' with 'their' etc.

## Disclosure by other staff and affiliates

(40) If a concern arises that another staff member or affiliate has an undeclared perceived, potential or actual conflict of interest, including where there is a risk of foreign influence or interference, the staff member or affiliate raising the concern can either:

- a. Lodge a Staff Complaints form via [Service Central](#); or
- b. lodge a [Service Central](#) request to have the matter brought to the attention of the supervisor responsible for the staff member or affiliate who has potentially not disclosed the interest.

(41) The supervisor or relevant ACU representative will then be required to discuss the matter with their staff member or affiliate. If after making enquiries the supervisor or relevant ACU representative is satisfied that a perceived, potential or actual conflict of interest or foreign interference situation has already been reported or does not exist, no further action is required.

(42) If further enquiries reveal that a perceived, potential or actual conflict of interest or potential foreign interference risk exists and has not been disclosed, then the process outlined in Sections 4 to 8 of this Procedure should be followed to assess the significance of the interest. The supervisor will need to seek P&C advice whether the undisclosed interest may also amount to a breach of the Code of Conduct for Staff.

(43) If there is a reasonable belief that the staff member or affiliate should have known they were required to disclose the interest in accordance with their obligations under the [Code of Conduct for Staff](#), then applicable misconduct and serious misconduct process for staff covered by the ACUs Enterprise Agreement or a Senior Staff contract may be followed where applicable.

## Reporting Corrupt Conduct

(44) Considerations for assessing potential corrupt conduct that requires reporting:

### Corruption in conflicts of interest

(45) When the definition of corruption is applied to a conflict of interest, the key factors that make it corrupt conduct are whether the staff member or affiliate's actions are dishonest in accordance with the Code of Conduct for Staff, and they are abusing the trust placed in them associated with the position they hold. The higher the ACU position that is affected by the conflict of interest, the more serious the matter becomes.

### Corruption in foreign interference

(46) A matter involving an undeclared potential foreign influence or interference risk may also constitute corrupt conduct if the exposure of ACU to foreign interference is substantial, is done purposely or recklessly and seriously undermines ACUs integrity, information security systems and reputation.

(47) Any staff member or affiliate who suspects another staff member or affiliate of engaging in criminal or corrupt conduct has an obligation to immediately report the matter to their supervisor, or to another appropriate manager if their supervisor would not be appropriate in the circumstances. Please refer to the [Misconduct and Serious Misconduct Policy](#) and the [Protected Disclosures Policy](#) and [Protected Disclosures Procedure](#).

# Section 12 - Declaration of Interest Register

## Entry of data

(48) People and Capability will oversee that all disclosures relating to any conflict of interest concerning staff and affiliates have appropriate management strategies in place and are captured into the Conflict-of-Interest Register (COI Register), except those matters that relate to ACU Research and Enterprise.

(49) The Research Ethics and Integrity Unit will oversee that all disclosures relating to conflicts of interest involving ACU Research and Enterprise.

(50) Global and Education Pathways will oversee that all disclosures relating to any potential foreign interference matters concerning staff and affiliates.

## Storage

(51) The Chief People Officer and their nominee (Associate Director, P&C Business Partnering and Talent Management) will be responsible for ensuring that all electronic copies of completed conflict of interest Disclosure Forms and related documentation are stored securely in the COI Register.

(52) The Associate Director, Research Operations or Manager, Research Ethics and Integrity, will be responsible for ensuring that all electronic copies of completed Research and Enterprise Disclosure Forms and related documentation are stored securely in the Research Register.

(53) The Pro Vice-Chancellor (Global and Education Pathways), will be responsible for ensuring that all electronic copies of completed foreign interference Disclosure Forms and related documentation are stored securely in the FI Register.

(54) When a staff member ceases employment with ACU, any declaration documentation will be transferred to, and securely filed in, the staff member's personnel record.

(55) When an affiliate ceases any engagement with ACU, any declaration documentation will be transferred to, and securely filed with, the relevant contract material relating to that engagement by the relevant ACU representative.

## Access and Privacy

(56) Declaration documentation must be held in the strictest of confidence. Unless required by law, access to these documents is limited to the staff member concerned and those authorised by the Vice-Chancellor and President or Deputy Vice-Chancellor (Corporate) / Privacy Officer, or in accordance with this procedure, and subject to the advice of the Privacy Coordinator, where relevant.

(57) The personal information provided by a staff member in their declaration can be accessed and used for the following purposes:

- a. As part of the scope of an Internal Audit;
- b. As evidence in an authorised ACU Investigation;
- c. To comply with the requirements of a corruption regulator or other government authority;
- d. To fulfil a legal requirement or the direction of a judicial body; or
- e. To allow a business unit within ACU to perform due diligence in the exercise of its function in respect to the declaration by the staff member or affiliate.

(58) Declarations of interests may be the subject of external applications for access under the [Privacy Act 1988 \(Cth\)](#)



and ACU's [Privacy Policy](#) and associated Privacy Procedures relating to access. Each application for access will be dealt with in accordance with the provisions of the legislation.

(59) In the event of receipt of an external application for access to a declaration of interest record, ACU is required to consult the staff member or affiliate who made the declaration about their views on the application prior to any decision being made to release the document. Any application for access to such a declaration must be approved by the Privacy Officer, subject to the advice of the Privacy Coordinator.

(60) ACU will not disclose the information of a staff member or affiliate to other parties without their consent or unless authorised by law. Personal information contained within a declaration made by a staff member or affiliate may be disclosed to a third party for the following purposes:

- a. External auditor for audit purposes;
- b. External legal counsel as part of authorised ACU Investigation;
- c. Request from a corruption regulator, government authority or agency;
- d. If required or authorised by or under an Australian law or a court/tribunal order; or
- e. For enforcement related activities conducted by, or on behalf of an enforcement body.

## Monitoring and Receipt

(61) The Deputy Vice-Chancellor (Corporate) or another authorised member of the Executive or Senior Executive may periodically seek a review of each Register with assistance from other business units to ensure the Register is up to date and that conflicts of interest or potential foreign interference situations contained in the Register continue to be managed appropriately or are no longer active and can be archived.

(62) The Chief People Officer and their nominee will have visibility of all declarations (including changes) so that a copy can be added to a staff member's employee records as required, including any management plans and directives.

## Delegations, Privileges and Responsibilities Table

(63) The following tables set out in more detail the responsibilities of individuals for each section of the relevant register:

### CONFLICTS OF INTEREST

| Activity                  | Register Entry  | Reporting  | Review and Access  | Maintenance   | Control  |
|---------------------------|---|--|--|---|--|
| Professional and Academic | People and Capability                                       | All supervisors / managers of the staff member making the declaration            | Chief People Officer and their nominee   | People and Capability                                       | Chief People Officer   |
| Research and Enterprise   | Research Ethics and Integrity Unit                          | All supervisors / managers of the staff member making the declaration            | Deputy Vice-Chancellor (Research and Enterprise)   | Research Ethics and Integrity Unit Research Register        | Deputy Vice-Chancellor (Research and Enterprise)                         |
| Affiliates                | People and Capability Or Research Ethics and Integrity Unit | Staff member responsible for overseeing or supervising the role of the affiliate | Chief People Officer and their nominee Or Deputy Vice-Chancellor (Research and Enterprise) | People and Capability Or Research Ethics and Integrity Unit | Chief People Officer Or Deputy Vice-Chancellor (Research and Enterprise) |

## FOREIGN INTERFERENCE

| Activity      | Register Entry                | Reporting  | Review and Access   | Maintenance                   | Control   |
|---------------|-------------------------------|--|---|-------------------------------|---|
| All ACU Staff | Global and Education Pathways | All supervisors / managers of the staff member making the declaration            | Pro Vice-Chancellor (Global and Education Pathways)<br>Chief People Officer | Global and Education Pathways | Pro Vice-Chancellor (Global and Education Pathways) |
| Affiliates    | Global and Education Pathways | Staff member responsible for overseeing or supervising the role of the affiliate | Pro Vice-Chancellor (Global and Education Pathways)<br>Chief People Officer | Global and Education Pathways | Pro Vice-Chancellor (Global and Education Pathways) |

## Section 13 - Review

(64) In accordance with the [Policy Development and Review Policy](#), this procedure will be reviewed in line with the governing policy and is scheduled for review every five years or more frequently if appropriate.

(65) This policy will still apply beyond the review date.

## Section 14 - Further Assistance

(66) For further assistance, please contact the Chief People Officer.

## Section 15 - Associated Information

(67) For related legislation, policies, procedures and guidelines and any supporting resources please refer to the Associated Information tab.

(68) In addition, the following documents provide examples of the type of information that is required in self-assessing or declaring a conflict of interest:

- [Declaration of Interest Self-Assessment Guide](#)
- [Declaration of Interest Disclosure Form - Staff and Affiliates](#)
- [Foreign Interference Declaration Form](#)

(69) Note that declarations must be made via [Service Central](#) and not on these forms.

## Status and Details

|                              |   |
|------------------------------|---|
| <b>Status</b>                | Current   |
| <b>Effective Date</b>        | 17th December 2025                                  |
| <b>Review Date</b>           | 17th December 2028                                  |
| <b>Approval Authority</b>    | Deputy Vice-Chancellor (Corporate)                  |
| <b>Approval Date</b>         | 16th December 2025                                  |
| <b>Expiry Date</b>           | Not Applicable                                      |
| <b>Responsible Executive</b> | Patrick Woods<br>Deputy Vice-Chancellor (Corporate) |
| <b>Responsible Manager</b>   | Angelle Laurence<br>Chief People Officer            |
| <b>Enquiries Contact</b>     | People and Capability                               |