

## CONTENTS

1	PURPOSE.....	1
2	SCOPE.....	1
3	POLICY STATEMENT .....	2
	What is a conflict of interest .....	2
	General expectations .....	2
4	PROCEDURE .....	2
	Conflict of interest types.....	2
	Identifying conflicts of interest.....	3
	Disclosing conflicts of interest.....	3
	Managing conflicts of interest .....	4
	Removing conflicts of interest .....	5
	Monitoring conflicts of interest .....	5
	Failure to disclose a conflict of interest .....	5
	Complaints about conflicts of interest .....	5
	Privacy and confidentiality .....	6
5	RESPONSIBILITIES .....	6
	Compliance, monitoring and review.....	6
	Reporting.....	7
	Records management.....	7
6	DEFINITIONS .....	7
	Terms and definitions.....	7
7	RELATED LEGISLATION AND DOCUMENTS.....	8
8	FEEDBACK.....	9
9	APPROVAL AND REVIEW DETAILS.....	9
10	Appendix A – Conflicts of interest examples .....	10

## 1 PURPOSE

- 1.1 This policy and procedure outlines the responsibilities and process for identifying, disclosing and managing [conflicts of interest](#) at CQUniversity.

## 2 SCOPE

- 2.1 This policy and procedure applies to CQUniversity members, which include:

- members of the University Council and Committees
- an office holder or board member of a University controlled or non-controlled entity
- adjunct or honorary appointees of the University
- University employees, and
- any other person/s appointed or engaged by the University to perform duties or functions on its behalf, including contractors, consultants and/or volunteers.

### 3 POLICY STATEMENT

- 3.1 A well-established system for identifying, disclosing and managing conflicts of interest increases public accountability and reduces the risk of corruption, misconduct and bias in operations and decision-making processes.
- 3.2 The potential for a conflict of interest exists in all aspects of University operations. Conflicts of interest are not wrong in themselves, cannot always be avoided and may be actual, potential, or perceived by others. With increasing links between the University and other organisations, companies, and institutions, [University members](#) must act, and be seen to act, with integrity, and not inappropriately benefited by improperly using their position in the University.

#### What is a conflict of interest

- 3.3 A conflict of interest is a conflict between a University member's [official duties](#) to act in the best interests of the University, and their [private interests](#). A conflict of interest exists whether it is:
- actual – it currently exists
  - potential – it may arise, given the circumstances, or
  - perceived – it could reasonably be viewed that a conflict exists, or could arise, that may improperly influence the performance of a University member's duties now or in the future and/or create an adverse perception about actions or decisions of the University as a whole.

#### General expectations

- 3.4 The University has a responsibility to ensure that its official activities and those of its members conform to acceptable standards of integrity and good conduct. The University expects:
- members to act with honesty and integrity
  - members will not allow their external, personal or financial interests, or their duties to any external entity compromise their duties, obligations and responsibilities to the University
  - conflicts of interest, regardless of their character or level, will be identified, disclosed and managed
  - gifts, benefits, sponsorship, hospitality or service will not be accepted if the intention is to influence current or future behaviour of an individual or business area within the University (see also [Gifts and Benefits Policy and Procedure](#)). The preservation of academic and professional independence is a paramount consideration and should be made clear to potential sponsors
  - where a conflict of interest occurs, the interests of the University will be balanced against the interests of the member. Unless exceptional circumstances exist, the balance of interests will be resolved in the University's favour, and
  - managers, when notified of a conflict of interest, will deal promptly with the conflict as per this policy and procedure and put in place arrangements that protect the integrity of the University's processes and decision-making.

### 4 PROCEDURE

#### Conflict of interest types

- 4.1 Conflicts of interest can be categorised into:
- **Personal relationship:** including personal relationships described under [private interests](#). There is potential for, or perception of, a decision being considered biased or prejudiced, either in favour of or against, a person with whom there is a personal relationship. University members must not directly supervise immediate family members. Alternative arrangements must be discussed with the relevant supervisor should this situation arise. The University will ensure that no undue advantage or disadvantage occurs because of the existence of a personal relationship.
  - **Research/research higher degree:** relevant for conflicts of interests relating to a research or research higher degree project or course, including conflicts relating to ethical approvals. Conflicts may affect, or

be seen to affect, not only the collection, analysis and interpretation of data, but also the hiring of employees, procurement of materials, sharing of results, choice of protocol, involvement of human subjects and the use of statistical methods. The [Australian Code for the Responsible Conduct of Research](#), the [National Statement on Ethical Conduct in Human Research](#), and the [Australian Code for the Care and Use of Animals for Scientific Purposes](#) outline the legislative responsibilities of institutions and researchers with regards to conflicts of interest.

- **Financial interest:** relevant for any financial gain or loss. Money does not need to change hands for this to be considered a conflict of interest. This may include where a University member receives a gift, sponsorship of benefit, or where an employee commercialises their research or teaching resources into products and services.
- **Conflict of commitment:** relevant for University members who may have a conflict with either a paid activity, employment, or commitment that may interfere with their primary obligation and commitments to the University. This type includes:
  - an employee having additional employment outside of the University. Employees must ensure they comply with the [Paid Outside Work Procedure](#)
  - serving as an office holder (director or secretary) or board member of a company controlled by the University
  - bidding with or against the University for contracts, or
  - tendering or engaging for consultancy work.
- **Other:** any other activity which may conflict between a University member's private interests and their University duties.

4.2 Examples of conflicts of interest for each category are provided in [Appendix A](#).

### Identifying conflicts of interest

- 4.3 University members must ensure that any conflicts between their private interests and their University duties are promptly identified and managed.
- 4.4 To identify a conflict of interest, as a guide, use the 'trust test' – would others (e.g. employer, students, colleagues, or the general public), trust my judgement if they knew I was in this situation?
- 4.5 If there is uncertainty about whether a conflict of interest exists advice must be sought from the University member's supervisor or primary contact.

### Disclosing conflicts of interest

- 4.6 University members are responsible for disclosing all conflicts of interests, including any amendments to a previously disclosed interest, as soon as reasonably practicable.
- 4.7 A conflict of interest disclosure only occurs when formally submitted at a committee meeting, or through a Disclosure Statement. The fact that a matter may be known by others, or is considered public knowledge, is no substitute for disclosure.
- 4.8 Conflicts of interest, including any approved management plans, must be disclosed before any activity involving the conflict of interest may commence.

### University committees

- 4.9 Declaration of interests will be listed as a standing item on University Council and committee agendas. Members who have a conflict of interest with an item on the agenda must declare the interest at the start of the meeting. Additional conflicts of interest may be identified during the meeting. Details on how committees will manage declared conflicts of interest will be listed in the [Council Charter](#) or the committee's terms of reference.
- 4.10 Conflicts disclosed at a Council or committee meeting must be relevant for an item being discussed at that meeting. The conflict will need to be disclosed again if the matter is discussed at a future meeting.

- 4.11 If a Council or committee member has a conflict of interest not related to a specific matter on the agenda of a meeting, they should disclose the interest as per the relevant [Council and external Council sub-committee members](#), [Employees](#) or [Other University Member](#) section below.

#### **Council and external Council sub-committee members**

- 4.12 Members of the University Council must disclose any conflict that may arise between the member's personal interests and interests of the University under section 26A(c) of the [Central Queensland University Act 1998](#) (Qld).
- 4.13 Council and external Council sub-committee members must complete the Declaration of Interest Questionnaire at least annually. Members must notify the Director Governance/University Secretary by email of any changes to be made to their Declaration of Interest Questionnaire throughout the year.

#### **Employees**

- 4.14 If an actual, potential or perceived conflict of interest exists, employees must submit either the [Conflict of Interest Disclosure Statement Form](#) or [Conflict of Interest Disclosure Statement Form - Research Higher Degrees](#).
- 4.15 Once an appropriate management strategy has been discussed and agreed upon between the employee and their supervisor, the form must be submitted to the relevant [approval authority](#) (or delegate) for approval.
- 4.16 Completed disclosure statements will be sent to the People and Culture Directorate (via [pac@cqu.edu.au](mailto:pac@cqu.edu.au)) to include on the employee's personnel file.
- 4.17 Conflict of interest disclosures must be reviewed and resubmitted annually.

#### **Other University members**

- 4.18 Where a University member, other than an employee, identifies a conflict of interest, they must complete the Conflict of Interest Disclosure Statement Form and forward to their primary University contact to discuss an appropriate management strategy.
- 4.19 Once an appropriate management strategy has been discussed and agreed upon, the signed form must be submitted to the relevant approval authority (or delegate) for approval.
- 4.20 Completed disclosure statements will be sent to the People and Culture Directorate (via [pac@cqu.edu.au](mailto:pac@cqu.edu.au)) to store in the University's Records Management System (Content Manager).
- 4.21 Conflict of interest disclosures must be reviewed and resubmitted annually.

#### **Managing conflicts of interest**

- 4.22 Conflicts of interests disclosed during a Council or committee meeting will be managed in accordance with sections 4.9-4.11.
- 4.23 Conflicts of interests disclosed by Council and external Council sub-committee members will be managed in accordance with sections 4.12-4.13.
- 4.24 All other types of conflicts of interests will be managed by implementing a management strategy. This strategy will be determined between the University member and supervisor/primary University contact, and approved by the relevant approval authority (or delegate). The four recommended responses are:
- **Avoid:** avoiding a conflict of interest which poses an unacceptable risk to, or impact on, the University's interests is the University's preferred strategy. To avoid a conflict of interest, the University member may be removed from the decision-making process in relation to the matter concerned or requested to relinquish the private interest which is creating the conflict.
  - **Accept and reduce:** a conflict of interest may be reduced by ensuring the member has restrictions placed on their involvement in the relevant matter, or that another member or business area takes responsibility for the matter.

- **Share:** a conflict of interest may be shared by involving a third party to oversee part or all of the decision-making process that deals with the relevant matter.
- **Retain:** a conflict of interest may be retained and the member continues to be involved in the matter concerned, subject to a regular review of the situation. This response is only suitable for low risk conflicts of interests.

## Removing conflicts of interest

4.25 If a conflict of interest ceases to exist:

- Council and external Council sub-committee members – must update their Declaration of Interest Questionnaire in accordance with section 4.13
- Employees – must submit an updated Conflict of Interest Disclosure Statement Form or Conflict of Interest Disclosure Statement Form - Research Higher Degrees in accordance with sections 4.14-4.17, and
- Other University members – must submit an update Conflict of Interest Disclosure Statement Form in accordance with sections 4.18-4.21.

## Monitoring conflicts of interest

- 4.26 Disclosed interests must be reviewed and approved on at least an annual basis to ensure that the information remains correct, and that the management strategy continues to be appropriate and effective.
- 4.27 Interests disclosed during a Council or committee meeting relating to a particular matter, do not need to be reviewed, unless that matter is discussed again at a future meeting.

## Failure to disclose a conflict of interest

- 4.28 Council members who fail to comply with this policy and procedure may be removed from the University Council under section 26B of the *Central Queensland University Act*.
- 4.29 Employees who fail to comply with this policy and procedure, including refusal to take any reasonable action as directed to resolve a conflict of interest, will breach the [Code of Conduct](#) and/or [Code of Conduct for Research](#), and may be dealt with as misconduct or serious misconduct as outlined in the [Central Queensland University Enterprise Agreement](#).
- 4.30 External University members involved in University decisions must abide by the University's policy documents.
- 4.31 Breaches of this policy and procedure may result in referral to, and action being taken by, an external statutory authority and/or agency.

## Complaints about conflicts of interest

### Complaints about management of own disclosure

- 4.32 If an employee or other University member is not satisfied with the identification and management plan of their disclosed conflict of interest, they may request a review of their disclosure.
- 4.33 A request to review the decision, including why they believe the decision is incorrect, must be lodged within 20 working days of receiving notification from the approving authority. Requests can be sent to the Director People and Culture (via [PACDirector@cqu.edu.au](mailto:PACDirector@cqu.edu.au)).
- 4.34 If there are exceptional circumstances that prevented the review request being not lodged within 20 working days, the request for review should provide details and evidence of the exceptional circumstances. The Director People and Culture may still accept the request.
- 4.35 Within five working days of the request for review being received, the request will be assigned to a [review officer](#).

- 4.36 The review officer will be determined by the Director People and Culture. The assigned review officer will have had no prior involvement in the identification or management plan of the disclosure, and will have the appropriate knowledge, skill and experience to conduct the review.
- 4.37 The review process will be completed within 25 working days. The review officer will ensure full and accurate records are sent to the People and Culture Directorate to update the University member's personnel file if required.
- 4.38 Members who believe the outcome of a review is incorrect or unreasonable and/or that their review request has not been dealt with fairly, has the right to access external complaint processes at minimal or no costs. Members may lodge a complaint with the [Queensland Ombudsman](#) or other [external complaint agency](#). Complaint submissions should include any new information that should be considered in reviewing the matter, copies of any relevant letters or other documents, and the outcome being sought.

### **Complaints about other member's disclosures**

- 4.39 If a University member has knowledge that a conflict of interest may exist that may not have been disclosed, they should discuss the situation with their relevant supervisor, or the People and Culture or Governance Directorates.
- 4.40 If a member of the public has knowledge that a conflict of interest may exist that may not have been disclosed, they may submit a complaints through the [Official Complaints eForm](#), in accordance with the [Complaints Policy and Procedure](#).
- 4.41 If a University member or member of the public believes a conflict of interest has not been disclosed due to corrupt conduct, misconduct or wrongdoing to the public, they may consider taking action under the [Public Interest Disclosure Management Policy and Procedure](#) or the [Fraud and Corruption Control Framework](#).

### **Privacy and confidentiality**

- 4.42 Information arising from conflict of interest disclosures will be managed in accordance with the [Privacy Policy and Procedure](#).
- 4.43 Information held may be used for University purposes including audit, reporting, compliance monitoring, and other purposes required by government or legislation.

## **5 RESPONSIBILITIES**

### **Compliance, monitoring and review**

#### **Responsibilities**

- 5.1 Council and external Council sub-committee members are responsible for:
- being aware of their obligation and requirements to disclose and manage actual, potential and perceived conflicts of interest
  - disclosing or updating any conflicts of interest involving themselves, and
  - notifying the University of situations where conflicts of interest exist but have not been disclosed.
- 5.2 University members are responsible for:
- being aware of their obligation and requirements to disclose and manage actual, potential and perceived conflicts of interest
  - disclosing or updating any conflicts of interest involving themselves
  - working with their supervisor or University primary contact to develop a management plan
  - seeking approval from the relevant approval authority (or delegate) for the disclosure and management plan prior to undertaking an activity which may be affected by the conflict of interest, and
  - notifying the University of situations where conflicts of interest exist but have not been disclosed.

- 5.3 The Director People and Culture is responsible for ensuring disclosure forms completed by employees and other University members are kept and maintained in their personnel file, and implementing, monitoring, reviewing and ensuring compliance with this policy and procedure.
- 5.4 The Director Governance/University Secretary is responsible for ensuring compliance of Council and external Council sub-committee members, and for managing and monitoring the Declaration of Interest Questionnaire and the Council and external Council sub-committee members Conflict of Interest Register.

### Communication

- 5.5 Information on conflicts of interest is available on [StaffNet](#). Further communication will also be provided to:
- committee members – during yearly inductions
  - employees – during the corporate induction and refreshers
  - other University members – during their corporate induction.

### Reporting

- 5.6 No additional reporting is required.

### Records management

- 5.7 Employees must manage records in accordance with the [Records Management Policy and Procedure](#). This includes retaining these records in a recognised University recordkeeping information system.
- 5.8 University records must be retained for the minimum periods specified in the relevant [Retention and Disposal Schedule](#). Before disposing of any records, approval must be sought from the Records and Privacy Team (email [records@cqu.edu.au](mailto:records@cqu.edu.au)).

## 6 DEFINITIONS

- 6.1 Terms not defined in this document may be in the University [glossary](#).

### Terms and definitions

**Approval authority:** officers with authority to approve the disclosure and management of conflicts of interests. Officers include:

- [Senior Executive](#), and
- Dean School of Graduate Research (for research higher degrees disclosures only).

The approval authority may delegate this responsibility to a [head of business area](#) reporting to them.

If an approval authority (or delegate) is disclosing a conflict of interest, their immediate supervisor will be the approval authority. Conflicts of interest affecting the Vice-Chancellor and President must be disclosed to and approved by the Chancellor.

**Conflict of interest:** where there is a conflict between a University member's official duties to act in the best interests of the University, and their private interests. A conflict of interest may be actual, perceived or potential.

**Official duties:** the role, duties and responsibilities expected by the University of the University member.

**Private interests:** can be direct or indirect:

- A direct interest is a conflict of interest by a University member.
- An indirect interest is a conflict of interest held by a relative or close associate of a University member, for example:
  - an immediate family member (e.g. spouse, partner, child, parent, siblings)
  - a regular household member (e.g. someone who normally resides with the University member), or

- another close associate (e.g. friend, relative, business associate, rival, enemy).

A private interest can also be financial, non-financial, or a mixture of both:

- Financial interest – includes actual, potential or perceived financial gain or loss. Money does not need to change hands. Examples of financial interest can be found in [Appendix A](#).
- Non-financial interest – may arise from personal or family relationships or from involvement in sporting, social or cultural activities. They include a tendency towards favour or prejudice resulting from friendship, animosity or other personal involvement with another person or group. A non-financial interest also includes a personal relationship. A personal relationship may involve:
  - family relationships (siblings, parent/child, husband/wife, de facto spouses, partner, cousins, relations by marriage such as brother- or sister-in-law)
  - emotional relationships (including sexual relationships and close friendships), or
  - financial relationships (commercial relationships where pecuniary interest is present).

**Review officer:** an employee who has had no prior involvement in the identification or management plan of a disclosure of interest, and has the appropriate knowledge, skill, and experience to review the interest.

**University members:** a member of the University community which must adhere to this policy and procedure. University members include:

- members of the University Council and Committees
- an office holder or board member in a University controlled or non-controlled entity
- adjunct or honorary appointees of the University
- University employees, and
- any other person/s appointed or engaged by the University to perform duties or functions on its behalf, including contractors, consultants and/or volunteers.

## 7 RELATED LEGISLATION AND DOCUMENTS

[Australian Code for the Care and Use of Animals for Scientific Purposes](#)

[Australian Code for the Responsible Conduct of Research](#)

[Central Queensland University Act 1998](#) (Qld)

[Central Queensland University Enterprise Agreement](#)

[Code of Conduct](#)

[Code of Conduct for Research](#)

[Commercialisation for Impact Policy and Procedure](#)

[Complaints Policy and Procedure](#)

[Conflict of Interest Disclosure Statement Form](#)

[Conflict of Interest Disclosure Statement Form - Research Higher Degrees](#)

[Conflict of Interest StaffNet Page](#)

[Contract Management Policy and Procedure](#)

[Controlled and Non-Controlled Entities Policy and Procedure](#)

[Council Charter](#)

Declaration of Interest Questionnaire

[Fraud and Corruption Control Framework](#)

[Gifts and Benefits Policy and Procedure](#)

[Intellectual Property and Moral Rights Policy](#)

[National Statement on Ethical Conduct in Human Research](#)



[Paid Outside Work Procedure](#)

[Procurement Policy and Procedure](#)

[Privacy Policy and Procedure](#)

[Public Interest Disclosure Policy and Procedure](#)

[Sponsorship Policy and Procedure](#)

## 8 FEEDBACK

8.1 Feedback about this document can be emailed to [policy@cqu.edu.au](mailto:policy@cqu.edu.au).

## 9 APPROVAL AND REVIEW DETAILS

Approval and Review	Details
Approval Authority	Council
Delegated Approval Authority	N/A
Advisory Committee	Audit, Risk and Finance Committee
Required Consultation	N/A
Administrator	Director People and Culture
Next Review Date	18/10/2026

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Notes	

CQUniversity acknowledges many sources, including the Federation University, University of Sunshine Coast, University of Melbourne, University of South Australia, University of Queensland in the development of this policy and procedure.

## 10 Appendix A – Conflicts of interest examples

Below is a list of some possible examples of conflicts of interest. This is not an exhaustive list.

### Personal relationship

- 10.1 A member with decision-making powers over the selection for admission into a University course participates in the eligibility assessment of a student with whom they have a close personal relationship.
- 10.2 An academic member is involved in teaching or assessing a student who is a relative, family or person friend.
- 10.3 A member responsible for selection, assessment, or supervision of a student's work also has a personal or family relationship with that student.
- 10.4 A member with responsibility on an academic peer review panel has a personal or family relationship with the academic that could influence or be perceived to influence a decision.
- 10.5 A member with decision-making powers over employment is involved in the recruitment, promotion, reclassification, evaluation, or grievance process with a current or prospective member with whom they have, or have had, a personal or financial relationship.
- 10.6 A member employs a family member or close associate to undertake sessional academic work or casual administrative work periods without undertaking a merit-based selection process.

### Research/research higher degree

- 10.7 An author, reviewer, or editor has personal convictions, financial interests, or personal relationships which may influence their decision-making during the peer review and publication process.
- 10.8 A supervisor has a personal relationship with a research student under their supervision.
- 10.9 A researcher or member of their immediate family is a user of a community service being evaluated.
- 10.10 The researcher is an employee of the organisation the research will be commenting upon.
- 10.11 The research has affiliations or memberships (e.g. clubs, political parties, religious groups) that are relevant to the research topic.
- 10.12 The researcher has a family, personal or other relationship with research subjects or participants.
- 10.13 A member audits the performance of a research project where they are or have been an investigator or participant of the project.
- 10.14 An investigator or research candidate has a private interest in an organisation providing funding support to a research project (or candidate) such as through a grant or scholarship.
- 10.15 A member conducts research or clinical trials sponsored by a company in which the employee (or associate) has a financial interest or holds an executive position.

### Financial interest

- 10.16 A financial delegate approves payments to themselves or to someone with whom they have a personal relationship.
- 10.17 A member receives gifts, gratuities, loans, or special favours (including trips or speaker fees) from research sponsors or vendors.
- 10.18 A member directly received cash, services, or equipment in support of their University activities from non-University sources.

- 10.19 A member with decision-making powers in relation to a tender offered by the University accepts a gift or hospitality from a person associated with a company which is tendering for the work from the University.
- 10.20 A member or a member of their immediate family has a direct or indirect financial interest, or holds a directorship, in a company or other entity which supplies, or is likely to supply, goods and/or services to the University, or which operates in competition with the University.
- 10.21 A member takes part in assessing a tender application where they have, or have had, a personal relationship with a person or organisation that has submitted a tender application.
- 10.22 Selection as a University supplier by a member who has a personal or economic interest in that entity, including engaging a family member as an independent contractor, subcontractor, or consultant.

#### **Conflict of commitment**

- 10.23 A member has multiple official roles (such as being an officer of the University and serving as the Director of a company controlled, or not controlled, by the University).
- 10.24 A member who is the Director of a company that the University is bidding with or is bidding against for contract research funds.
- 10.25 A member holds an equity interest or executive position in a start-up company that has a contractual arrangement with the University to conduct further research.
- 10.26 A member or close associate holds an interest, including ownership, in any real or personal property leased or purchased by the University.
- 10.27 A member undertakes paid/unpaid outside work that impacts on their ability to fulfil their duties and obligations to the University.
- 10.28 An employee tenders for and engages in consultancy work as an individual rather than as a University employee, and approval was not obtained under the [Paid Outside Work Procedure](#). For example, an employee undertakes private tutoring of University students in circumstances where this could be reasonably expected to be part of their normal teaching duties.

#### **Other**

- 10.29 A member uses information received as a University member, which is not available to others, for personal purposes.