



**IONA COLLEGE**  
TRINITY

TEQSA Provider ID PRV14376 • CRICOS Provider Code 04294D

## Conflict of Interest Policy and Procedure

*Approved by the Board of Directors on 24 February 2022*

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## 1. Purpose

This policy and procedure sets out a framework for the declaration of conflicts of interest by the stakeholders of Iona Trinity College of Higher Education (**the College**) and how best to address conflicts of interest situations when they arise.

## 2. Scope

This policy applies to all stakeholders of the College.

## 3. Policy

### 3.1 Statement

Any existing, potential or perceived conflicts of interest should be disclosed by a stakeholder of the College.

In order for the Board to assess any potential conflict, all interests should be documented in a Register of Interest.

If a stakeholder of the College believes another staff or governing body member has an undisclosed conflict of interest, the basis of this potential or perceived conflict should be specified in writing.

Where a stakeholder of the College or a governing body member has a conflict of interest relating to the operations of the College, that person shall not initiate or take part in any discussion or contribute to decision making on that topic. If that person is a governing body member, that person shall not vote, or contribute to a decision, on that matter.

## 4. Procedure

### 4.1 Governing body members

As part of induction, a new member should disclose to the Chair of the relevant governing body any interests that could result in a conflict of interest (e.g. involvement with other organisations, providers, vendors or business interests, or with any other associations). This information should be declared in the Disclosure of Interest Form. An example is provided at Appendix 1.

Governing body members should disclose any conflicts (potential or actual) of interest of which they become aware either at the start of the meeting concerned or when a relevant issue arises.

When this occurs, the relevant member should leave the meeting as soon as that item comes up for discussion.

The nature of this conflict of interest should be entered into the meeting minutes.

### 4.2 Staff members

Upon commencement of employment, a staff member must disclose any potential conflict of interest in the Disclosure of Interest Form (at Appendix 1) and submit it to the immediate supervisor.

A governance protocol (at Appendix 2) supplements this policy for cases of conflicts of interest arising from dual relationships.

## 5. Accountabilities

The Chair of the Board of Directors is responsible for drawing prospective member's attention to this policy and procedure.

All stakeholders are responsible for abiding by the requirements of this policy and procedure.

## 6. Definitions

For the purposes of this Policy and Procedure, the following terms are defined as follows:

|                      |   |
|----------------------|---|
| Conflict of interest | An interest or activity that influences, or may appear to influence, the ability of a member of the College's stakeholders to exercise objectivity  |
| Governing Body       | Means the Board of Directors or its sub-committees, and the Academic Board or its sub-committees  |
| Stakeholders         | Stakeholders of the College include all staff employed by the College and members of the College's Governing Body. They may also include individuals or organizations that have a vested interest in the activities and decisions of the College, including students, staff, partners, and regulatory bodies. |

## 7. Version history

| Version # | Changes   | Approval Body      | Approval Date |
|-----------|---|--------------------|---------------|
| 1.0       | Original Version  | Board of Directors | 24/02/22      |
| 1.1       | Inserted Appendix 2 – Governance Protocol on Dual Relationships | Board of Directors | 22/08/23      |

## 8. Additional Information

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|   |                            |
|---|----------------------------|
| Policy Status   | Approved                   |
| Policy Owner  | Board of Directors         |
| Next Review Date  | 2 years from Approval Date |
| Associated Internal Documents                                   | Register of Interests      |
| Higher Education Standards Framework (Threshold Standards) 2021 | Standards 6.1.1 and 6.2.1  |
| National Code of Practice for Providers of Education            | No relevant standard       |

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and Training to Overseas  
Students 2018

Other Applicable Legislation    Education Services for Overseas Students Act 2000  
and Instruments                      Tertiary Education Quality and Standards Agency Act 2011

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## Appendix 1: Disclosure of Interest Form

Iona Trinity College of Higher Education (**the College**) requires all staff and governing body members to disclose significant relationships and associations which may create conflicts of interest.

A conflict of interest, or a perception of a conflict, can arise when a transaction, action or relationship with the College conflicts with the personal or financial interests of that of the College's stakeholder, including the stakeholder's immediate family member or employer if the stakeholder is a member of the College's governing body.

Please indicate below any relationships, transactions, or positions you hold (volunteer or otherwise), or circumstances that you believe could create a conflict of interest, financial or otherwise.

I have the following Interests to disclose:

For example: *shares in x company, membership of x organisation, business/personal relationship with x*

| Entity or Individual | Involvement, % ownership, consulting or contractual relationship, family or social ties, etc. | Proposed method for handling the conflict (disclosure, refrain from voting, recision of papers referring to issues, etc.) |
|----------------------|---|---|
|                      |   |   |
|                      |   |   |
|                      |   |   |
|                      |   |   |
|                      |   |   |

I understand that it is my obligation to disclose a conflict of interest, current or potential, or a perception of a conflict, to the College when a conflict, or perception of a conflict, arises, and that for transactions in which I have a conflict I will manage the conflict in the manner recorded above.

I have read, understood, and abide by the Conflicts of Interest Policy and Procedure.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Appendix 2: Governance Protocol for Dual Relationships

### A2.1 Purpose

This governance protocol is to ensure that Iona Trinity College (the college) operates under governance models that mitigate any potential conflicts of commercial interest between it and Iona Columba College, a Registered Training Organisation (RTO). A potential or perceived conflict of commercial interest could result from the Principal of the College also being the Principal of the RTO.

This governance protocol is to safeguard the credibility, integrity, and impartiality of the College's decisions and activities. It is designed to prevent situations where a conflict of commercial interest could arise and improperly influence actions or decisions to the detriment of the College or its stakeholders.

### A2.2 Scope

This governance protocol applies to all governance, administrative, and academic functions of the College.

### A2.3 Procedures

#### A2.3.1 Management and Mitigation

1. **Role Clarity:** the roles of the Principal for the two entities are separate and will not interfere with each other, especially in terms of decision-making and allocation of resources.
2. **Recusal:** In situations where the Principal's dual role may influence decisions, such as agreements, partnerships, or transactions between the College and RTO, the Principal must recuse himself from the decision-making process. Alternative decision-making processes will be employed in such scenarios, with the Ethics Committee overseeing and ensuring impartiality.
3. **Financial Transparency:** Separate financial records are kept for each entity which are audited regularly by an external, independent auditor. This will ensure there is no financial impropriety or undue favouritism in funding allocation and that funds are not being improperly transferred or utilised between the two organisations. The Ethics Committee will be responsible for resolving any conflicts that may arise due to the overlapping interests of the two entities.
4. **Agreements or Contracts:** Any agreements or contracts between the two entities will be reviewed to ensure all meet regulatory requirements and are signed off by the Board of Directors. They will be transparent and publicly available, where appropriate.
5. **Separation of Operations:** There are clear operational boundaries between the College and the RTO. This includes separate admissions processes, independent academic decision-making processes and independent financial systems.
6. **Admission and Assessment Procedures:** Both the College and the RTO have

clearly defined admissions and assessment processes that meet regulatory standards. The specific standards for granting qualifications are consistent, transparent, and based on merit which avoids any indication of favouritism or leniency towards students transferring between the entities.

7. **External Audit:** An external audit may be conducted to assess the College's handling of commercial conflicts of interest.

#### *A2.3.2 Reporting and Disclosures*

The Principal, with his dual role as Principal of the College and Iona Columba College will provide an annual written declaration detailing any and all interactions, financial or otherwise, between the College and the RTO.

All financial and operational transactions with the RTO are required to be reported to the Board of Directors as an annual disclosure.

Annual reports detailing how any conflicts have been identified and managed will be provided to the Board of Directors from the Ethics Committee.

#### *A2.3.3 Non-Compliance*

Any staff member may confidentially report any unethical behaviour or suspected conflict of interest to the Ethics Committee which will undertake appropriate action.

#### *A2.3.4 Monitoring and Improvement*

Annual Review: This protocol will be reviewed annually to ensure its effectiveness and relevance.

Recommendations: Recommendations for improvement, either from internal or external stakeholders, will be considered in subsequent reviews.

### **A2.4 Responsibilities**

The Ethics Committee is responsible for:

- a. reviewing all disclosures and recommending actions to manage any commercial conflict of interest.

The Board of Directors is responsible for:

- a. the overall oversight of this protocol
- b. approving any strategies and resources to improve the College's ability to manage any commercial conflicts of interest

All staff:

- a. will report observed or alleged commercial conflict of interest promptly
- b. must protect the confidentiality of information relating to reports of conflict of interest.

**Please note:** the Ethics Committee will be established upon TESQA registration and terms of reference provided to TESQA.



## A2.5 Definitions

**Commercial Conflict of Interest:** Occurs when an individual or organization has competing business interests that could compromise or appear to compromise their ability to make impartial decisions in the conduct of their professional responsibilities.

**Registered Training Organisation (RTO):** A vocational education provider registered by the Australian Skills Quality Authority (ASQA).

**Principal:** The chief administrative officer responsible for the operation of the College and/or the RTO.

**Stakeholders:** Stakeholders of the College include all staff employed by the College and members of the College's Governing Body. They may also include individuals or organizations that have a vested interest in the activities and decisions of the College, including students, staff, partners, and regulatory bodies.