

## CONFLICT OF INTEREST POLICY

### 1.0 INTRODUCTION

This Conflict of Interest Policy (**Policy**) applies to all Diocese of Sale Catholic Education Limited (**DOSCEL**) employees, including employees in management roles such as principals, DOSCEL Secretariat Managers, DOSCEL Executive Members and the Director of Catholic Education, Diocese of Sale / Chief Executive Officer, DOSCEL. This Policy also applies to the Board of Directors of DOSCEL (**Directors**), Committee Members and Responsible Persons.

DOSCEL recognises the importance of providing a framework in which actual, potential or perceived conflicts of interest are identified, disclosed and managed appropriately.

DOSCEL is committed to building a workplace that is free from fraud or corruption or the perception of fraud or corruption. This Policy has been developed because conflicts of interest may arise and do not need to present a problem to employees, Directors, Committee Members or Responsible Persons if they are openly and effectively managed. For these reasons, it is important that all employees, Directors, Committee Members and Responsible Persons share a responsibility for strengthening this commitment to identify, disclose and manage conflicts of interest appropriately.

This Policy supplements any conflict of interest obligation arising under an employee's contract of employment. It is expected that all employees, Directors, Committee Members and Responsible Persons participate fully in conflict of interest disclosure and management.

Having a conflict of interest does not necessarily amount to a breach of this Policy. However, failure to disclose an actual, potential or perceived conflict of interest may constitute a breach. Apart from the obligations under this Policy employees, Directors, Committee Members and Responsible Persons may also have obligations arising under their appointment or under another policy in relation to:

- engaging in other employment or paid activities
- disclosure of any social/family relationships with students outside the context of the student/employee, Director, Committee Member or Responsible Person relationship
- child safety disclosures.

## 2.0 PURPOSE

The purpose of this Policy is to ensure that all employees of DOSCEL, Directors, Committee Members and Responsible Persons effectively identify, disclose and manage any actual, potential or perceived conflicts of interest in order to manage risk and protect the reputation and integrity of both themselves and DOSCEL.

## 3.0 PRINCIPLES

DOSCEL aims to ensure that all employees, Directors, Committee Members and Responsible Persons are:

- aware of their obligations to disclose any conflicts of interest that they may have, and
- ensuring they effectively manage those conflicts of interest as representatives of DOSCEL in order to comply with this Policy.

## 4.0 DEFINITIONS

**Conflict of Interest:** Conflicts of interest arise where a person's duty is affected by a personal interest. In such cases, the line between personal and professional conduct may become blurred and interfere with an employee's, Director's, Committee Member's or Responsible Person's capacity to perform their duties.

Personal interests may be financial or non-financial and may be held in relation to:

- family members
- close friends
- associates.

It is worth bearing in mind that conflict of interest can arise without intent to 'cross the line' between professional and personal interest. In other words, conflicts of interest are not only actual, but also potential or perceived.

**Potential conflict of interest:** is one which is foreseeable from the circumstances, but has not yet become actual (for example, where a job applicant is related to a recruitment panel member, but the applications have not yet been processed).

**Perceived conflict of interest:** is one where the circumstances indicate to a reasonable person that an employee's, Board of Director's, Responsible Person's or Committee Member's duty is affected, whether there is an actual conflict of interest or not (for example, a politics teacher may belong to a political party without that membership affecting their ability to grade student work, however it may be perceived that such membership would affect their ability to assess that work impartially).

**Board:** means the DOSCEL Board.

**Committee Member:** means a person appointed by the Board to one or more DOSCEL Board Committees.

**Constitution:** means the Constitution of DOSCEL.

**Director:** means a person occupying the position of Director of DOSCEL, acting as a board member as defined by the Constitution of DOSCEL.

**Responsible Person:** means a person determined by the Board, including but not limited to, the Company Secretary.

## 5.0 TYPICAL CONFLICT OF INTEREST SITUATIONS

There are many situations where a conflict of interest may arise. Some of the more common situations are outlined below.

- Other employment/paid duties
- Disposal of DOSCEL and/or school assets
- Accepting gifts and benefits
- Procuring goods and services
- Staff recruitment
- Committee membership.

## 6.0 IDENTIFICATION AND DISCLOSURE OF CONFLICT OF INTEREST

All employees, Directors, Committee Members and Responsible Persons have a continuing responsibility for identifying, declaring and managing any actual, potential or perceived conflict of interest that applies to them.

Where an employee, Director, Committee Member or Responsible Person suspects that they may have an actual, potential or perceived conflict of interest, they need to discuss the matter with the relevant person as set out in the Section 9 – Conflict of Interest Process, of this Policy and in all instances complete the Conflict of Interest Declaration Form.

Employees, Directors, Committee Members and Responsible Persons should provide all information on the reporting form relevant to the identified conflict of interest in order to allow the relevant person to assess fully whether a conflict of interest in fact exists.

Employees, Directors, Committee Members and Responsible Persons who suspect they may have an actual, potential or perceived conflict of interest, even if the conflict has been declared previously, must complete a Conflict of Interest Declaration Form at the commencement of each school year, upon a new appointment within DOSCEL or where any changes to the conflict of interest occurs.

## 7.0 MANAGING CONFLICT OF INTEREST

If it is determined that there is an actual, potential or perceived conflict of interest, the relevant person will prepare and propose a conflict of interest management strategy. The employee, Director, Committee Member or Responsible Person has a responsibility to discuss any proposed conflict of interest management strategies with the relevant person responsible for their conflict of interest form.

The relevant person will consider any input the employee, Director, Committee Member or Responsible Person may have in relation to the proposed management strategy, however the employee, Director, Committee Member or Responsible Person is obliged to follow any conflict of interest management strategy decided upon by the relevant person responsible for their conflict of interest form.

There may be circumstances in which an actual, potential or perceived conflict of interest involves a Principal. In such a situation, the Principal will work with the Executive Manager: Industrial Relations / Human Resources, DOSCEL to determine the conflict of interest management strategy.

Conflict of interest management strategies will ensure conflicts are managed and resolved based on the following approaches:

<b>Record and disclose</b>	It is ensured all information surrounding the conflict of interest has been disclosed and documented on the Conflict of Interest Declaration Form.
<b>Restrict</b>	Restrictions are placed on the employee's, Director's, Committee Member's or Responsible Person's involvement in the matter or the scope of the work is reformulated or there is a restriction on access to certain information.
<b>Recruit and monitor</b>	A non-conflicted third party is used to oversee part or all of the process that deals with the matter.
<b>Remove</b>	The employee, Director, Committee Member or Responsible Person removes themselves, or is removed, from the matter. For example, in a situation in which a job applicant is related to a member of the recruitment panel, a conflict of interest management strategy might be for that panel member to step down during the selection process for that position only.
<b>Relinquish</b>	The employee, Director, Committee Member or Responsible Person relinquishes the private interest that is creating the conflict. Where relinquishing the interest is not possible (e.g. relationship with family) and the conflict cannot be managed using one of the other options above, the employee, Director, Committee Member or Responsible Person may consider removing themselves from participating in the process.

Conflict of interest management strategies detailed in the Conflict of Interest Declaration Form should be reviewed regularly to ensure they remain effective.

## **8.0 CONSEQUENCES OF BREACHING THIS POLICY**

### **Employees**

Conflicts of interest are not in themselves unethical or contrary to this Policy. However, if an employee fails to identify (or, where required, manage/monitor) any actual, perceived or potential conflict of interest, this may result in disciplinary action or, depending on the seriousness of the circumstances, termination of employment.

### **Directors, Committee Members, Responsible Persons or the Chief Executive Officer**

The Chairperson of the Board of Directors is responsible for taking appropriate action where a Director, Committee Member, Responsible Person or the Chief Executive Officer breaches this Policy.

## **9.0 CONFLICT OF INTEREST PROCESS**

### **School Employees (other than Principals or Acting Principals)**

The following conflict of interest process sets out the steps required for employees:

- I. Discuss the circumstances of the conflict of interest situation with their Principal.
- II. Complete the Conflict of Interest Declaration Form or the Gift Notification Form and submit to the Principal.
- III. Follow the conflict of interest management strategy approved by the Principal as documented in the Conflict of Interest Declaration Form.
- IV. Monitor the conflict of interest management strategy approved by the Principal.
- V. Notify the Principal of changes without delay.
- VI. Review, update and submit for approval a Conflict of Interest Form as agreed upon but no later than the start of each school year or upon a new appointment.

### **Principals and Acting Principals**

The following conflict of interest process sets out the steps required for Principals and Acting Principals:

- I. Discuss the circumstances of the conflict of interest situation with the Executive Manager: Industrial Relations / Human Resources, DOSCEL.
- II. Complete the Conflict of Interest Declaration Form or the Gift Notification Form and submit the form to the Executive Manager: Industrial Relations / Human Resources, DOSCEL.
- III. Follow the conflict of interest management strategy approved by the Executive Manager: Industrial Relations / Human Resources, DOSCEL, as documented in the Conflict of Interest Declaration Form.

- IV. Monitor the conflict of interest management strategy approved by the Executive Manager: Industrial Relations / Human Resources, DOSCEL.
- V. Notify the Executive Manager: Industrial Relations / Human Resources, DOSCEL, of changes without delay.
- VI. Review, update and submit for approval a Conflict of Interest Form as agreed upon but no later than the start of each school year or upon a new appointment.

### **DOSCEL Secretariat Employees (including School Leadership Consultants and Managers)**

The following conflict of interest process sets out the steps required for DOSCEL Secretariat employees:

- I. Discuss the circumstances of the conflict of interest situation with their Manager.
- II. Complete the Conflict of Interest Declaration Form or the Gift Notification Form and submit to the Executive Manager: Industrial Relations / Human Resources, DOSCEL.
- III. Follow the conflict of interest management strategy approved by the Executive Manager: Industrial Relations / Human Resources, DOSCEL as documented in the Conflict of Interest Declaration Form.
- IV. Monitor the conflict of interest management strategy approved by the Executive Manager: Industrial Relations / Human Resources, DOSCEL.
- V. Notify the Executive Manager: Industrial Relations / Human Resources, DOSCEL of changes without delay.
- VI. Review, update and submit for approval a Conflict of Interest Form as agreed upon but no later than the start of each school year or upon a new appointment.

### **DOSCEL Secretariat Executive Team**

The following conflict of interest process sets out the steps required for the DOSCEL Secretariat Executive Team:

- I. Discuss the circumstances of the conflict of interest situation with the Chief Executive Officer.
- II. Complete the Conflict of Interest Declaration Form or the Gift Notification Form and submit to the Chief Executive Officer.
- III. Follow the conflict of interest management strategy approved by the Chief Executive Officer as documented in the Conflict of Interest Declaration Form.
- IV. Monitor the conflict of interest management strategy approved by the Chief Executive Officer.
- V. Notify the Chief Executive Officer of changes without delay.
- VI. Review, update and submit for approval a Conflict of Interest Form as agreed upon but no later than the start of each school year or upon a new appointment.

### **Chief Executive Officer, Directors, Committee Members and Responsible Persons**

The following conflict of interest process sets out the steps required for the Chief Executive Officer, Directors, Committee Members and Responsible Persons:

- I. Discuss the circumstances of the conflict with the Chairperson of the Board of Directors.
- II. Complete the Conflict of Interest Declaration Form or the Gift Notification Form and submit to the Chairperson of the Board of Directors.
- III. Follow the conflict of interest management strategy approved by the Chairperson of the Board of Directors as documented in the Conflict of Interest Declaration Form.
- IV. Monitor the conflict of interest management strategy approved by the Chairperson of the Board of Directors.
- V. Notify the Chairperson of the Board of Directors of changes without delay.
- VI. Review, update and submit for approval a Conflict of Interest form as agreed upon but no later than the start of each school year or upon a new appointment.

### **Chairperson of the Board**

The following conflict of interest process sets out the steps required for the Chairperson of the Board:

- I. Discuss the circumstances of the conflict with the Bishop, Catholic Diocese of Sale or a Responsible Person.
- II. Complete the Conflict of Interest Declaration Form or the Gift Notification Form and submit to the Bishop.
- III. Follow the conflict of interest management strategy approved by the Bishop or a Responsible Person as documented in the Conflict of Interest Declaration Form.
- IV. Monitor the conflict of interest management strategy approved by the Bishop or a Responsible Person.
- V. Notify the Bishop of changes without delay.
- VI. Review, update and submit for approval a Conflict of Interest form as agreed upon but no later than the start of each school year or upon a new appointment.

## **10.0 REFERENCES**

This Conflict of Interest Policy relates to other relevant DOSCEL policies and professional expectations, including but not limited to:

- Conflict of Interest Gift Notification Form

## 11.0 REVIEW

This policy will be reviewed every two years to take account of any changed technology, legislation, expectations or practices.

**Implementation Date:** May 2018

**Revised Date:** May 2023

**Review Date:** May 2025