



# Guideline: Disclosure of Interest

## General Information

1. The University's Disclosure of Interest (DOI) Guidelines contain scenarios, fact sheets, checklists and other helpful information that have been included to provide practical assistance to University representatives in effectively and efficiently managing interests when and where they arise to best support adherence to the DOI Policy.

## Addressing Interests

2. The following steps should be considered by supervisors in addressing any interests that their staff members maintain:

- Discuss the interest with the employee to obtain as much information as possible regarding the circumstances of the interest and any risk that it may pose.
- Refer the employee to the University's [DOI Framework](#) to ensure they are aware of their responsibilities regarding disclosure of interests.
- Once a disclosure has been made, undertake a risk assessment to appropriately map the risks associated with the interest.
- If, once a risk assessment has been completed, additional management/control of the interest is deemed necessary, develop an Interest Management Plan (IMP) that sets out how the interest is to be managed in order to protect the University's interests – this should be done in consultation with the staff member who maintains the interest;
- Create and maintain a record of discussions, decisions and actions associated with the interest, ensuring confidentiality is maintained where necessary.
- Submit all documentation relating to the interest using the form so it can be updated on the Central Interest Register (CIR).
- Review the interest on a regular basis to ensure any duties assigned to the staff member do not give rise to a conflict of interest and that the controls set out in the initial IMP remain effective and appropriate.

## Disclosing and managing interests appropriately

3. Timely disclosure of interests is integral to enabling the University to respond appropriately to manage any risks that may be associated with, or created by, the

interest.

4. The University's position on disclosure is to disclose all interests, no matter how small or insignificant it may seem. A checklist for the identification of disclosable interest is included at Appendix 1. After completing the checklist, you should have a solid idea of whether you maintain an interest that requires disclosure, however, if any doubt remains as to whether an interest requires disclosure, a disclosure should be made. The form used for interest disclosures can be found [here](#).

### **Third Party Disclosures**

5. If you reasonably believe a colleague has not acted in accordance with the DOI framework, you should:

- Refer to the DOI Policy and Procedure to familiarise yourself with suitable disclosure processes (including making a [Public Interest Disclosure](#) in appropriate circumstances),

6. Where you manage the staff member you should:

- Raise the situation with the staff member;
- Take steps to address the non-compliance as soon as possible such as developing an IMP and undertaking a risk assessment of the interest; and
- Review any other resolution processes where necessary.

### **Managing interests and associated risks**

7. The two core elements of managing risks relating to interests are set out below:

- Establish clear processes for managing interests and associated risks in a manner that is consultative and inclusive of all relevant University stakeholders associated with the interest and the IMP to ensure agreement and comprehensive coverage.
- Review, at least annually, the effectiveness of any processes and controls established to manage risks to ensure they remain effective and efficient.

# Common Types of Interests

## Financial (Pecuniary) Interests

### Identification of interests

8. It is noteworthy that University representatives are not permitted to use University resources for the generation of private income.
9. Financial Interest means any right, claim, title or legal share in something having a monetary or equivalent value. Examples of Financial Interest include, but are not limited to;
  - shares, share options, financial benefits (discounts with organisations, paid holidays), salary, consulting fees, allowances, discounts, intellectual property and the like.
  - A staff member or those with a close personal relationship with that staff member who holds a remunerated management or scientific advisory position in an external entity with the option to obtain equity in the entity or in a potential new external entity; or
  - A long-term exclusive or otherwise significant consulting arrangement with an external entity that maintains a contractual relationship with the University (for example, where a staff member receives an annual income that exceeds \$10,000 from such an entity).
10. Excluded from this definition of Financial interest is an investment by a superannuation mutual, pension or other institutional investment fund in which a staff member holds an interest but has no authority to exercise control.
11. Financial interests involve an actual, potential, or perceived financial gain or loss. Money does not need to change hands for a financial interest to exist. For example, you would have a financial interest if you (or a relative or close associate) own property, hold shares in a public company that are equal to or greater than 1% of the company's market capitalisation, have a controlling interest in a private company, have a position in a company bidding for work at the University, or receive benefits such as concessions, discounts, gifts or hospitality from a source that carries on business or otherwise is involved in other interests that are associated with the University.
12. As soon as a financial interest of a relative or close associate arises or is recognised, you must treat it as if it were your own financial interest and make appropriate disclosures even if you would not receive any material benefit through your relationship or association.
13. A Financial Interest is deemed to exist if any University representative receives one, or a combination of any of the following financial instruments or benefits where it is not clearly and contractually related to their agreed University responsibilities:

- Income that exceeds \$5,000 (excluding GST) from any outside entity, measured on a rolling 12-month basis. This may constitute a single payment from a company of equal to or greater than \$5,000, or it could be multiple payments from either the same company or a combination of different companies that, in the aggregate, exceed \$5,000.
  - A singular acquisition of equity in a public company that exceeds \$5,000 in value;
  - Aggregated income from and/or equity/ownership in a public company that exceeds \$10,000 in any 12-month period.
  - Any disposal or relinquishment of shares in a public or privately held company totaling an amount greater than \$5000 in any 12 month period
  - Any equity/ownership interest in a privately held company;
  - financial interests of any value in organisations with which ANU is engaged in a commercial relationship;
  - Any income received from rights in intellectual property external to that which has been developed through any professional engagement with the University; and
14. recommending or prescribing self-authored resources to students required to fulfill course requirements where a financial benefit is derived.
15. The following interests are excluded from disclosure:
- payments (including travel) received from ANU which may be beyond the remuneration stipulated in an employment contract, so long as any payments made are appropriately approved by the relevant manager.
  - Any income from investments that control is not exercised over, such as mutual funds and superannuation funds (not including SMSFs).
16. University representatives undertaking research with United States (US) government agencies that include the National Science Foundation, the National Institute of Health and Center for Disease and Control should complete the US Financial Conflict of Interest policy here.

### **Additional considerations concerning shares**

17. It is the University's position that any material ownership of shares should be declared. It may be determined that your ownership of these shares has no material bearing on your ability to exercise your duties, and as such, no conflict is likely to arise. However, when there is any doubt, disclose the interest and discuss with your supervisor to ensure an objective assessment has been made and documented appropriately.

18. Generally, shares held in a financial instrument in which a staff member has an interest but does not exercise control, do not need to be declared. This disclosure exemption does not apply to self-managed superannuation schemes.
19. It is important when purchasing shares to consider whether your duties as an employee of the University have informed your decision to purchase those shares. Any private use of University information that is not in the public domain represents a failure of honesty, impartiality and the duty of employees to put the interests of the University first.

### Examples of Financial Interests

- Staff members or University representatives with decision making powers relating to employment, or those who are involved in the recruitment, promotion, reclassification, evaluation, or grievance process with a current or prospective member with whom they have, or have had, a financial relationship.
- 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.
- A Staff member or University representative conducts research or clinical trials sponsored by a company in which they (or a close associate) has a financial interest or holds an executive position.
- Staff members or University representatives who are financial delegates, approve payments to themselves or to someone with whom they have a close personal relationship.
- Selection of a University supplier by a University representative who has a personal or economic interest in the selected entity, including engaging a family member or close associate as an independent contractor, subcontractor, or consultant.
- A staff member or University representative holds an equity interest or executive position in an organisation that has a contractual arrangement with the University to conduct further research.
- A staff member, University representative (or a close associate) holds an interest, including ownership, in any real or personal property leased, or purchased by, the University.
- A staff member or University representative owns shares equal to or greater than 1% market capitalization of a public company, or holds a controlling stake in a private company, that has a significant contract with the University or affiliated entities.

- A University representative has confidential information about a University decision to purchase a piece of land and are considering purchasing an adjacent property or property where the purchase has been informed by that confidential knowledge.

## Close Personal Relationships (Staff and/or Students)

### Identification of interests

20. A risk of real or perceived conflicting interests exists where a more senior employee (such as a manager) exercises authority which can affect – either positively or negatively – the employment of a junior employee or the student experience of a student with whom they have – or have had - a close personal relationship.

Where a manager has, or has had, a close personal relationship with a staff member, risks typically arise in the following areas:

- Receiving and managing complaints against the staff member;
- Management of the Performance and Development Process and awarding progression; and
- Allocation of duties and responsibilities.

21. Where a staff member has a close personal relationship with a student, disclosable interests typically arise in the following areas:

- The marking of the student's work;
- Management and oversight of examinations and assessment; and
- Preferential or adverse treatment towards the student/other students.

22. At all times consider whether it could be said that you are exercising your authority in a way that provides a particular benefit to an individual that is not afforded to other staff. Even if your primary aim is to benefit the University, there is a risk to the interests of the University if you can also be seen to be gaining, or giving, an indirect or direct benefit that is not universally available.

23. Consider how you would feel if other staff/colleagues knew about the situation, or it was reported in the newspaper. Think about the reputation of the University and your obligations under the [ANU Code of Conduct](#) to promote and maintain the integrity and accountability of the University.

### Examples

- A staff member or University representative 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.

- A staff member or University representative 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.
- A staff member or University representative with decision making powers over employment who 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 close personal relationship.
- A staff member or University representative employs a family member or close associate to undertake sessional academic work or casual administrative work periods without undertaking a merit-based selection process.
- A supervisor has a close personal relationship with a research student under their supervision.
- A researcher has a family, personal or other relationship with research subjects or participants.
- A staff member or University representative takes part in assessing a tender application where they have, or have had, a close personal relationship with a person or organisation that has submitted a tender application.
- 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.
- A family member has applied for a job that your position may have the capacity to influence;
- A family member already works at the University in a position that can influence outcomes for your position, or vice versa.
- Your child attends the University and you work in an area that could influence outcomes of their studies.
- You are in a relationship with another staff member.
- You are in a relationship with a close relation of a senior staff member.
- The University wishes to purchase something or use the service of a company owned by a family member or close associate.

## Gifts, Benefits and Hospitality

### Identification of interests

24. Where a member of staff is involved in the receipt of any gift, benefit or hospitality provided by an external entity, there is potential for a disclosable interest to arise. The questionnaire at **Appendix 1** should be used to assist in evaluating whether a disclosure should be made.

### Examples

- A staff member or University representative receives gifts, gratuities, loans, or special favours (including trips or speaker fees) from research sponsors or vendors.
- A staff member or University representative directly receives cash, services, or equipment in support of their University activities from non-University sources.
- A staff member or University representative with decision making powers relating to a tender offered by the University accepts gifts or hospitality from a person associated with an organisation which has tendered for the contract with the University.
- A staff member or University representative is invited to a restaurant for lunch by an external contractor who does business with the University. The contractor always insists on paying.
- A staff member or University representative is offered tickets by an external contractor for a sporting or cultural event.
- A staff member or University representative is dealing with an organisation that provides incentives or 'kickbacks' to clients who use their services.
- A company, during the tendering process, has indicated to a staff member or University representative who has oversight of, or involvement in, the decision process, that if the company wins a particular contract, an offer of employment for the company will be made to the staff member or University Representative..

### Related Documents

25. For more information related to gifts, University representatives should refer to the following policy and procedures:

- Gifts and Fundraising Policy
- Gift Acceptance Procedure



## Directorships, Secretaryships and Partnerships

### Identification of interests

26. The Disclosure of Interest Policy should be followed in all instances where a University Representative is involved in any outside entity as a director, Company Secretary or partner (whether paid or unpaid).

*Note: Certain disclosure exemptions apply and are outlined in the above mentioned policy.*

### Examples

27. The following examples illustrate various scenarios where interests may arise in relation to directorships, secretaryships or partnerships:

- Where a staff member or University representative 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.
- A staff member or University representative has multiple official roles (such as being an officer of the University and serving as the Director of the company controlled by the University).
- A staff member or University representative who is the Director of a company that the University is bidding with or is bidding against for contract research funds.

## Duty/Commitment Interests

### Identification of interests

28. Where a Member of Professional Staff is involved in any outside professional activity, paid or unpaid, that involves a significant commitment of time that may interfere, or appear to interfere, with the fulfillment of the staff member's obligations to the University, even if the outside activity is valuable to the University or contributes to the staff member's professional development and competence, a disclosable interest may be present and the questionnaire at **Appendix 1** should be used to assist in evaluating whether a disclosure should be made.

29. Academic Staff should first refer to the [\*\*Paid Outside work – the 52 Day Rule Policy\*\*](#).

### Examples

30. Common examples of scenarios where disclosable interests may arise in relation to Duty/Commitment are set out below:

- Outside Professional Activities such as employment with a non-ANU entity that occurs during a standard business day.
- Academic Activities shall require disclosure only if the time required to conduct the activity interferes with the performance of assigned duties (e.g. missing a class or regular agreed office hours);
- External Activities, which are not related to a staff member's professional expertise, shall be disclosed in advance of undertaking the activity only if engaging in the activity either requires a substantial commitment of time and/or compromises, or has the appearance of compromising, a staff member's professional judgment in performing their University duties including teaching, research, general duties or business decision making.
- A staff member or University representative undertakes paid/unpaid outsidework that impacts on their ability to fulfil their duties and obligations to the University.
- An employee tenders for and engages in consultancy work as an individual rather than as a University employee, and approval was not obtained under all applicable policies. 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.
- A staff member or University representative uses information received as a University member for personal purposes or commercial purposes in a capacity not linked to their University duties.
- A staff member or University representative has a part-time business where students at the University are potential clients
- A staff member or University representative is affiliated with a club or interest group that has a significant standing in the media (therefore any commentary made by that organisation would likely be widely broadcast and could adversely impact the reputation of the University)
- A staff member or University representative sets a textbook that they have authored or co-authored as required reading to a class they teach.
- A staff member or University representative gives a lecture at another University without prior approval.
- A staff member or University representative wishes to engage a contractor who regularly does work for the University to do some work in a private capacity.

## **Research Interests (including Sensitive Research)**

## Identification of interests

31. In academic research, interests are especially common and have the capacity to impact on situations in many ways if not managed appropriately.

32. Poorly managed interests can affect the winning or renewal of grants, the collection, analysis and interpretation of data, hiring of employees, procurement of materials, sharing of results, choice of protocol, and the use of statistical methods.

## Sensitive Research Topics and the DSGL

33. Academics undertake research in a broad array of areas. This research often involves complex and intricate subject matter, and this subject matter also intersects with sensitive technology that involves national security. As a result of this, the Commonwealth Government developed a list – the [Defence and Strategic Goods List \(DSGL\)](#) that specifies the goods, software or technology that is regulated when exported, supplied, brokered or published.

34. A permit is required when exporting, supplying, brokering or publishing DSGL items, unless an exemption exists. The DSGL is a compilation of military and commercial goods and technologies that Australia regulates with the list being split into two parts:

a. Part One covers defence and related goods – those goods and technologies designed or adapted for use by the military or items that have a lethal application.

Goods covered by part one of the DSGL include:

- Military Goods: goods or technologies that are designed or adapted for military purposes including parts or accessories.
- Non-Military Lethal Goods (NMLGs): equipment or goods that have lethal application (non-military firearms, ammunition and explosives)

b. Part Two covers goods that have a dual use. Dual use goods include equipment and technologies that have been developed in order to meet commercial needs, but have the propensity or capacity to be used as military technologies to power or produce military systems or contribute to creating weapons of mass destruction. Part Two is extensively subdivided to cover the 10 different categories:

- Category 0: Nuclear Materials
- Category 1: Materials, Chemicals, Microorganisms and Toxins
- Category 2: Materials Processing
- Category 3: Electronics
- Category 4: Computers
- Category 5: Telecommunications and Information Security
- Category 6: Sensors and lasers
- Category 7: Navigation and Avionics
- Category 8: Marine
- Category 9: Aerospace and Propulsion

35. If you are unsure as to how your research relates to descriptors provided within the DSGL, you should visit the Department of Defence's website to access the [Defence and Strategic Goods List Self Assessment Tool](#), as it provides a comprehensive explanation of the items that sit within each category.

36. There are a number of useful resources on the Department of Defence website that provide additional information relating the [Defence Strategic Goods List](#). If you are still unsure after reviewing the available material, please contact [disclosure@anu.edu.au](mailto:disclosure@anu.edu.au) and a team member will be in touch to discuss your situation.

### Examples

- An author, reviewer, or editor involved in research has personal convictions, financial interests, or close personal relationships which may influence their decision making during the peer review and publication process.
- A researcher or member of their immediate family has a significant interest in a community service being evaluated through a research program.
- The researcher has a close relation, family member or associate that is an employee of the organisation that research will be commenting upon.

- The researcher has affiliations or memberships (e.g. clubs, political parties, religious groups) that are relevant to the research topic to an extent that research could be adversely impacted or compromised if an interest is not appropriately managed.
- The researcher has a family, personal or other relationship with research subjects or participants.
- A staff member or University representative audits the performance of a research project where they are or have been an investigator or participant of the project.
- 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.
- A staff member or University representative conducts research or clinical trials sponsored by a company in which the employee (or associate) has a financial interest or holds an executive position.
- 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.
- If you work on a technology that is broadly covered in Part 2 (dual use) of the DSSL, a disclosure should be made if your funding is in any way related to government defence agencies or commercial defence organisations.

## Foreign Influence

37. The [Foreign Influence Transparency Scheme \(FITS\)](#) was introduced in 2018 to provide a mechanism that gives public and government decision-makers the necessary visibility over the nature, level and extent of foreign influence on Australia's government and political processes.

38. The legislation developed to underpin the scheme - the [Foreign Influence Transparency Scheme Act 2018 \(Cth\)](#) (FITSA) supports the aims of the scheme to improve transparency and ensure that unwarranted foreign influence is not being exercised over any of Australia's political and/or governmental processes.

39. The FITS creates a series of obligations on both individuals and corporate entities to register if, during the course of undertaking business/research, they undertake specified

activities on behalf of a foreign principal or enter into a registrable arrangement with a foreign principal.

40. Additional information relating to individual obligations under the scheme can be found on the [FITS Resources](#) page of the Attorney General Department's website. Additionally, the FITS website includes a range of factsheets which are invaluable when determining whether there is a registrable activity that needs to be disclosed.

41. The factsheets have been hyperlinked below:

- [Factsheet 1: Fast Facts](#)
- [Factsheet 2: Influence vs Interference](#)
- [Factsheet 3: Foreign Principals](#)
- [Factsheet 4: Acting on behalf of Foreign Principals](#)
- [Factsheet 5: Registrable Activities](#)
- [Factsheet 6: Influencing a political governmental process](#)
- [Factsheet 7: Registration Exemptions](#)
- [Factsheet 8: Former Cabinet Ministers and recent designated position holders](#)
- [Factsheet 9: Registrant obligations during voting periods](#)
- [Factsheet 10: Disclosures in communications activity](#)
- [Factsheet 11: Exception for disseminators of communications activity](#)
- [Factsheet 12: Transparency Notices](#)
- [Factsheet 13: Commercial or business pursuits](#)
- [Factsheet 14: Commercially sensitive information](#)
- [Factsheet 15: Information and documentation requirements](#)
- [Factsheet 16: Recordkeeping](#)
- [Factsheet 17: Penalties for non-compliance \(Enforcement\)](#)

42. If you require any assistance in relation to determining whether to disclose relating to

a potential registrable activity, please review the ***Foreign Influence Decision Tree Document***.

43. If you are still unsure of how to proceed after reviewing the decision tree, please send an email to [disclosure@anu.edu.au](mailto:disclosure@anu.edu.au) outlining the particulars of your situation. A team member from the Corporate Governance and Risk Office (CGRO) will be in touch to assist you in determining whether you are involved in a registrable activity and, subsequently, whether a disclosure needs to be made.

### **Defence Industry Security Program (DISP)**

44. The DISP is managed by the Defence Industry Security Office (DISO). Its primary function is to support Australian businesses to both understand and meet their security obligations when engaging in Defence projects, contracts and tenders. Put simply, it is security vetting for Australian businesses.

45. The DISP:

- assists organisations to get the right security requirements when delivering Defence contracts and tenders.
- gives organisations access to Defence security advice and support services.
- helps organisations to better understand and manage security risks across their operations
- provides confidence and assurance to Defence and other government entities (either Australian or foreign) when procuring goods and services from members of the program.

46. DISP is underpinned by the following documents:

- [Defence Security Principles Framework](#);
- [Protective Security Policy Framework](#); and
- [Employment Screening Standard AS4811-2006](#).

47. The DISP has created a comprehensive Resource Website that includes guides for

working securely with defence, application smart forms, DISP website links, relevant policies and standards, toolkits for key stakeholders in DISP member organisations (Security Officer Toolkit) and a range of fact sheets.

48. It is noteworthy that at present, only members of the University Council and Senior Executive team members are required to make a DISP disclosure and renew these disclosures on an annual basis. The Council Secretary and staff from CGRO will liaise with Council and Executive prior to submission due dates each year to ensure information remains up to date.

## Committee Meetings

### Identification of Interests

49. Where a staff member or University representative is a member of any Committee associated with the ANU, they should be mindful of their circumstances in relation to the subject matter of the Committee and the potential for interests to arise in relation to their work with the Committee. Wherever an interest is likely to arise, or has arisen, the checklist at **Appendix 1** should be consulted in order to assist in determining whether a disclosable interest exists.

### Complex Interests

50. Where an interest exists that isn't addressed under any of the categories set out above and the interest involves a significant amount of complexities or where complexities that exist are especially unique, please seek further advice from your supervisor, an Interest Advisory Officer (IAO), CGRO or HR for assistance in completing disclosures using the form.

## Related Legislation and documentation

### Legislation and Codes

- *Australian University Act 1991 (Cth)*
- *Public Governance, Performance and Accountability Act 2013 (Cth)*



- Australian Code for the Responsible Conduct of Research.

## **Relevant Policy, Procedure and Guidelines**

51. For a comprehensive overview of all policies, procedures and guidelines with relevant linkages to the DOI framework, please see the DOI Framework Related Documentation Overview.

## **Appendix 1: Interest Identification Questionnaire**

This checklist assists staff members in evaluating their circumstances to determine whether a disclosable interest exists. The checklist below is designed to be purely for personal use and does not need to be submitted anywhere upon completion, however, after completing the checklist, if a disclosable interest exists, or there are any doubts about an interest, University Representatives are expected to complete a disclosure using the form.

### **Consider the following:**

- The matter or issue being considered and the specific situation in which you are involved; and
- The risks associated with the professional duties you carry out at the University.

### **What could be perceived by a third party?**

- What assessment would a fair-minded member of the public make of the circumstances?
- Could involvement in this matter cast doubt on individual integrity or on the University's integrity?
- If you saw someone else doing this, would you suspect that they might have a disclosable interest that, if not appropriately managed, would create a conflict?
- If you did participate in this action or decision, what would your reaction be if your colleagues and the public became aware of your involvement and any association or connection?
- How would you feel if your actions were highlighted in the media?
- Is the matter or issue one of great public interest or controversy where your proposed decision or action could attract greater scrutiny by others?

**Note: Refer to the following page for the complete questionnaire.**

Question	Yes	No
Would I or anyone associated with me benefit from or be detrimentally affected by my proposed decision or action?		
Could there be benefits for me in the future that could cast doubt on my objectivity associated with this decision or piece of work due to an interest I hold?		
Do I have a current or previous personal, professional or financial relationship or association of any significance with an interested party?		
Do I or a relative, friend or associate of theirs stand to gain or lose financially in some covert or unexpected way?		
Would my reputation or that of a relative, friend or associate stand to be enhanced or damaged because of the proposed decision or action?		
Do I hold any personal or professional views or biases that may lead others to reasonably conclude that I am not an appropriate person to deal with the matter?		
Have I contributed in a private capacity in any way to the matter my Academic Unit/Division/the University is dealing with?		
Have I made any promises or commitments in relation to the matter that were not done within the authority of my role at the University, or approved by someone at the University with such authority?		
Have I received a benefit or hospitality from someone who stands to gain or lose from my proposed decision or action?		
Am I a member of an association, club or professional organisation or do I have particular ties and affiliations with organisations or individuals who stand to gain or lose by my proposed decision or action?		
Could this situation have an influence on any future employment opportunities outside my current official duties?		
Could there be any other benefits or factors that could cast doubts on my objectivity?		

Would I or anyone associated with me benefit from or be detrimentally affected by my proposed decision or action?		
---	--	--

## Appendix 2: Myths and Facts about Interests and Conflicts of Interest

<i>Myths</i>	<i>Facts</i>
Interests only arise where private financial interests are involved	<p>Not true. A disclosable interest may exist in any situation where an employee's duty could be influenced by their personal values, interests, affiliations, loyalties or prior involvement or associations. Disclosable Interests can arise where both pecuniary (financial) and non-pecuniary interests are involved.</p> <p>While the likelihood of an interest arising may be greater where financial benefits are involved, disclosable interests can arise out of close personal relationships, or involvement in sporting, cultural or social activities. Personal enmity as much as favouritism has the potential to lead to a conflicting interest.</p> <p>Where interests do arise, steps should be taken to mitigate/control any associated risks to an appropriate extent.</p>
A COI occurs when you exercise your public office in order to get a private benefit.	<p>No. This constitutes fraud or corruption. COIs usually arise innocently, often by a coincidence of circumstances and without anyone being at fault. Where an interest exists, there is an obligation on the employee to take reasonable steps to mitigate it in order to protect the University's interests.</p>
Real COIs are rare, and they usually only apply to upper management.	<p>No. COIs are common, and they can affect anyone. Risks are particularly high in some areas like recruitment and procurement which can involve people at all levels of the organisation.</p>
If you and your team are focused on providing the University with the best outcomes, any incidental private benefit is not a problem.	<p>No. In achieving outcomes for the University, it is the duty of all University Representatives to maintain public confidence in the University by acting in accordance with the values of integrity and accountability. Any reasonable perception that you or your friends or family are benefiting from the exercise of your duty creates the potential for the community to lose confidence in the University as a whole. University Representatives are obligated to proactively identify interests in good faith, including the risks associated with them and take action to mitigate/manage them appropriately, in line with applicable University policies and procedures.</p>
The existence of a COI is damaging to your integrity	<p>Conflicts of Interest are an inevitable aspect of organisational life. They are not in themselves signs of wrongdoing. What is important is how an employee responds once an interest – or a conflict of interest - is identified.</p>

<p>You only need to tell your manager about an interest if you think there is a risk.</p>	<p>No. University Representatives are required to disclose any interest that could affect their duties, even if they believe that the risks are minimal. It is not sufficient to disclose a COI to peers or subordinates – the form must be used.</p> <p>The University acknowledges that community confidence in the values of accountability and integrity are best maintained when interests are managed in a transparent and accountable manner.</p>
<p>A senior member of staff should disclose any interest to the University's executive team.</p>	<p>Not quite. Disclosures of interests should be made via the specified form (online portal or via email), which will automatically be forwarded to the disclosing employee's direct manager. Where the direct manager is involved in the interest, the disclosure should be escalated to a necessary extent where it will be disclosed to an employee in a managerial capacity who is able to objectively assess the interest.</p>
<p>For any senior member of staff required to disclose annually their private interests, once this has been done, no further steps need to be taken.</p>	<p>No. Making disclosures of private interests are one element of efficient interest management. Each item declared should have the necessary IMP developed and be reviewed as needed for accuracy.</p>
<p>Once you have reported an interest, it is up to the University to do something about it.</p>	<p>No. Managing interests is a shared responsibility. Managers are responsible for facilitating compliance with the COI policy by their staff. Staff members in general are responsible for taking steps to mitigate any risks associated with interests and complying with the lawful and reasonable directions of your manager.</p>
<p>If you have identified an interest, you have to step aside.</p>	<p>No. You should assess the potential risks to the University and its interests arising from your interest in consultation with your manager. In developing an IMP, ensure that you take steps which will reasonably address the risks. In some cases, after disclosing the matter via the form, nothing further will need to be done.</p> <p>In more serious instances, you may have to cease the private interest due to the risks involved, or to step down from a position you hold on either a temporary or permanent basis which creates a conflict with your University role.</p>

<p>The University can't force you to cease maintaining a private interest.</p>	<p>ANU employees are required to avoid any interest that creates a conflict, in line with legislative obligations under the PGPA Act. Where a private interest conflicts with your duties, it may be considered a lawful direction for your manager to tell you to cease maintaining that interest.</p> <p>If you fail to do so, you could be subject to disciplinary action which may result in the termination of your employment. However, any direction given by your manager must be reasonable. They should first consider whether any alternative measures could be taken which sufficiently address the risk arising from the interest, or whether the interest is unavoidable from pursuits that you have undertaken that the University feels is necessary for continuation, for whatever reason.</p> <p>If you believe your manager's direction is unlawful or unreasonable, you can make an application to have the direction reviewed.</p>
<p>Private interests often cannot be reported because of confidentiality requirements.</p>	<p>No. If a private interest conflicts with your employment with the University or might be seen to do so, you have an obligation to disclose that interest and then take any further steps required to mitigate/control any risks.</p> <p>It is not usually necessary for your private interests to be disclosed to anyone outside of the disclosure and interest management process.</p>
<p>A failure to declare a disclosable interest will not have a significant effect on my employment.</p>	<p>No. An employee's failure to identify, report, address or monitor a disclosable interest in accordance with the University's framework could constitute misconduct, or in severe instances, gross misconduct, and lead to disciplinary action which may lead to the termination of employment.</p>
<p>If a selection panel member knows an applicant, they only need to disclose this if the applicant is shortlisted for interview.</p>	<p>No. They have identified a disclosable interest. They should report their knowledge of the applicant at the earliest possible opportunity so that no part of the process can be impacted by any conflicting interests (whether real or perceived).</p>

<p>Where a Senior staff member's family member is employed at the University and the interest is managed appropriately throughout the employment process, they should then be treated like any other staff member.</p>	<p>No. If a senior staff member's family member is employed at ANU, there will always be an interest that requires ongoing management. For example, there will need to be appropriate processes to mitigate risks for any circumstances where the Senior Staff Member's decisions may affect their family member's rights or status within the University community. For example, staff should be advised how any future complaints about the family member (if and where they arise) will be managed free from the senior staff member's influence.</p>
<p>A Senior staff member's family member should not apply for a position at the University.</p>	<p>A person should not be precluded from working at the ANU because they are related to a senior staff member or to anyone else who works here.</p> <p>If a friend or family member does apply, steps need to be taken throughout the recruitment process to manage risks associated with the process.</p> <p>If they are successfully appointed, further steps need to be put in place in relation to their ongoing employment at the University to effectively and efficiently manage the ongoing interest that is created by such a scenario.</p>
<p>It's ok to own shares in a company that trades with the University.</p>	<p>Yes. However, if you are involved in procuring or advocating that company's services for the University, there would be a disclosable interest and you would be required to take appropriate mitigating actions. This may involve selling the shares.</p>
<p>If a company provides "kickbacks" on a contract, you can accept them if you are sure they will not influence your judgment.</p>	<p>No. The acceptance of any gift, benefit or hospitality can create a real or perceived conflicting interest which must be avoided. The University's Gifts &amp; Benefits policy provides strict guidelines on when gifts may be accepted.</p>