PART 20 CONFLICTS OF INTEREST AND GIFTS

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20.1 Conflicts of Interest

University personnel shall at all times conduct themselves in a way that will ensure that they will not place themselves in situations, which could lead to, or be seen to give rise to a conflict of interest.

All employees of the University shall exercise sound judgement guided by the highest personal standards of honesty and integrity in all matters affecting the University.

If a potential conflict of interest situation arises the employee shall immediately advise their manager who shall take any appropriate action considered necessary.

No employee of the University shall abuse a position for personal advantage or to promote any actions contrary to the University.

No employee having an influence on University business decisions, and no member of such an employee's immediately family, may have any financial interest in a privately owned enterprise, if the employee deals on behalf of the University with that enterprise.

It is the policy of the University that all outside employment undertaken by employees shall have the approval of the Vice-Chancellor. Any additional queries in relation to this requirement can be obtained by contacting the Human Resources Department of the University.

No employee shall disclose or use any confidential information gained, in the course of employment by the University for the personal profit or advantage of the employee or of any other person. In addition no employee of the University shall use such information in a way that may discredit the operations of the University.

20.2 Benefits and Gifts

20.2.1 General Requirements

A member of the University Council or an officer or employee of the University shall not:

(a) solicit any benefit from other persons other than the University in connection with that person's official functions and duties;

(b) accept any benefit other than from the University for any official function or duties performed or not performed which could create a conflict of interest or be seen to create such conflict;

(c) accept any gift of money or benefit by way of loans and the like for any functions or duties performed or not performed.

The above restrictions are not to be to prohibit the pursuit of financial assistance or donations to the University where such pursuit is in accordance with the Collections Act or is otherwise authorised by law.

20.2.2 Conditions for Acceptance of Gifts or Benefits

A member of the University Council or an officer or employee of the University may accept a benefit, in the performance of official functions or duties, not being referred to in 20.2.1 above, provided that:

(a) in the case of normal entertainment, hospitality and minor presentations of no significance or lasting real value which conform to industry/country norms, the individual value of each does not exceed AUD $100.

In these cases a Benefit Acceptance Advice is to be completed by the employee receiving the benefit, refer to section 20.2.3 for additional information;

(b) in all other cases, a benefit shall be a reportable gift and may be accepted only on behalf of the University, a Reportable Gift Declaration shall be completed and the gift shall be recorded in the Reportable Gift Register, refer to section 20.2.3 for additional information.

For the purposes of this section a "reportable gift" is any gift of property, travel, entertainment, hospitality or any other benefit which is not consistent with industry norms, and paragraph (a) of this section.

The term reportable gift includes in any case valuable items of property whether of a personal nature or otherwise (eg ornate or precision display items such as clocks, furniture, figurines, works of art and the like and other items of enduring value including jewellery and personal items containing precious metals or stone or fine art work).

20.2.3 Responsibilities

Managers are responsible for ensuring the following requirements are complied with:

(a) that all Reportable Gift Declarations and Benefit Acceptance Advice's shall be completed within 14 days of receiving the benefit;

(b) all officers and employees are aware that if they receive a benefit which falls within:

  (i) section 20.2.2 (a) the officer shall complete a Benefit Acceptance Advice, which is to be forwarded to their manager within 14 days of receiving the gift;

  (ii) section 20.2.2 (b) the officer shall complete a Reportable Gift Declaration and forward the declaration and the gift to their manager within 14 days of accepting the reportable gift;

(c) the original Reportable Gift Declaration is forwarded to the Chief Financial Officer;

(d) if the reportable gift is property to have the property recorded in the University Asset Register system;

(e) if the reportable gift is not property, the Reportable Gift Declaration is to include specific details as to the use to which the reportable gift was put;

(f) a review process is implemented at least annually by the manager of the Benefit Acceptance Advice's and Reportable Gift Declarations received by the manager.

  The aim of the review is to counsel an employee if the volume or nature of benefits or the sources from which they were accepted could lead to or be seen to lead to a conflict of interest.

20.2.4 Reportable Gift Register

The University shall maintain a Reportable Gift Register. The Reportable Gift Register shall include particulars of reportable gifts made and reportable gifts received by the University. The Chief Financial Officer shall be responsible for the maintenance of the Reportable Gifts Register.

(a) the details to be recorded in the Reportable Gifts Register for gifts received include:

  (i) the date the reportable gift was received;

  (ii) the parties involved (provider and the recipient);

  (iii) sufficient particulars of the reportable gift;

  (iv) if the gift is property, the present location of the reportable gift;

  (v) if the gift is not property, the use to which the reportable gift was put.

(b) the details to be recorded in the Reportable Gifts Register for gifts made by the University include:

  (i) the name of the accountable officer approving the gift and the date approval was given;

  (ii) the date the reportable gift was made;

  (iii) details of where original documentation can be located in regards to the disbursement;

  (iv) the names of the parties involved (the provider and the recipient);

  (v) sufficient particulars of the reportable gift;

  (vi) the value of the reportable gift.

20.2.5 Reportable Gifts Made by the University

Before any gift is made by the University it is necessary for the manager to obtain approval for the gift to be made their Divisional Manager.

The Divisional Manager who approves that a reportable gift be made shall forward a copy of the approved "Application for a Gift to be Made" form to the Chief Financial Officer.