

# Declaration of Material Personal Interests Procedures

## Section 1 - Purpose and Scope

### Purpose

(1) The University recognises that its University Council members and other senior officers have personal interests, and that these personal interests may conflict, or be perceived to conflict, with their duty to the University. These Procedures set out the process for Council members and other senior officers to declare material personal interests that have the potential to lead to a possible, actual or perceived conflict of interest as described in the [Code of Conduct](#).

(2) Full disclosure of material personal interests leads to openness and transparency in all decision-making and allows the University to proactively identify and manage conflicts of interest. It also protects the University, and the Council members or other senior officer from accusations of partiality.

(3) Declaring a material personal interest under these Procedures does not remove the requirement for:

- a. all University officers and affiliates to comply with the requirements relating to conflicts of interests as specified in the [Code of Conduct](#) and other University policies and procedures.
- b. Council members to disclose material interests in a matter being considered by a meeting of Council as set out in Schedule 2A of the [Southern Cross University Act 1993](#).

### Scope

(4) These Procedures apply to Council members and Vice Chancellor's Group members (Senior Officers).

## Section 2 - Material Personal Interests

(5) Material personal interests are personal interests that have the potential to conflict with a Senior Officer's duties to the University.

(6) Material personal interests may arise from interests held by the Senior Officer, or by a close connection of the Senior Officer, such as a family member. These interests may include, but are not limited to:

- a. external sources of income
- b. membership of external boards or committees
- c. interests or positions in corporations
- d. significant shareholdings
- e. positions or membership in professional or business associations
- f. relationships within the University environment.

## Disclosure of material personal interests

(7) Council members and Vice Chancellor's Group members must declare all material personal interests on their appointment by completing a [Declaration of Material Personal Interests Form](#).

(8) The Senior Officer must notify the Council Secretary of any changes to their declared material personal interests, including any new material personal interests, as soon as possible after becoming aware of the change.

(9) If a Senior Officer is concerned about confidentiality or privacy, they may discuss the material personal interest directly with the Council Secretary.

(10) If a Senior Officer is uncertain whether a personal interest is a material personal interest, they are encouraged to discuss the matter with the Council Secretary.

(11) Senior Officers must review their declarations of material personal interests annually and:

- a. notify the Council Secretary of any changes; or
- b. certify that no changes are required.

## Management of material personal interests

(12) The following officers are responsible for determining how conflicts of interest will be managed:

Responsible Officer	Type of Senior Officers
Chancellor	Council members including the Vice-Chancellor
Vice-Chancellor	Vice Chancellor's Group members
Chair, Audit and Risk Management Committee	Chancellor

(13) On receipt of a declaration of material personal interest, the Council Secretary will notify the relevant Responsible Officer. The notification will include:

- a. an assessment of whether the material personal interest is, or may be, a possible, actual or perceived conflict of interest; and
- b. if so, a recommendation for managing the conflict of interest.

## Register of personal interests

(14) The Council Secretary will maintain a register of material personal interests containing the following information:

- a. details of the material personal interest
- b. the date the interest was disclosed
- c. whether the interest has been identified as a possible, actual or perceived conflict of interest
- d. any management response

(15) Access to the register will be restricted to the Council Secretary and the Administrative Officer (Council).

(16) Information in the register, or contained in a declaration of material personal interest, may be subject to an application for access under the [Government Information \(Public Access\) Act 2009](#). If such an application is made, the Senior Officer will be consulted in accordance with the Act before a determination on the application is made.

## Section 3 - Conflicts of interest

(17) Senior Officers must disclose possible, actual and perceived conflicts of interest, even if the relevant personal interest has been declared and included in the register of material personal interests.

### Disclosure of a conflict of interest during a meeting

(18) There will be a standing item on the agenda for each meeting of Council, its committees and the Vice Chancellor's Group seeking declarations of interest from the relevant members. Members must disclose if they have, or may have, a conflict of interest relating to an item on the agenda for the meeting.

(19) The relevant Chair is responsible for determining how any conflicts of interest will be managed during the meeting.

(20) The conflict of interest and the way in which it is managed must be:

- a. recorded in the minutes of the meeting; and
- b. included in the register of material personal interests.

### Disclosure of a conflict of interest other than during a meeting

(21) If a conflict of interest becomes apparent outside of a meeting, the Senior Officer must disclose the conflict of interest in writing to the Council Secretary as soon as possible. The Senior Officer must also comply with the requirements of any other University policy or procedure which applies to the conflict such as:

- a. [Code of Conduct](#)
- b. [Personal Relationships Policy](#)
- c. [Research Quality Standards and Integrity Policy](#)
- d. [Procurement Policy](#)
- e. [Outside Work Policy](#)
- f. [Commercial Activities Policy](#)
- g. [Fraud And Corruption Prevention Policy](#)

## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	23rd November 2021
<b>Review Date</b>	23rd November 2024
<b>Approval Authority</b>	University Council
<b>Approval Date</b>	19th November 2021
<b>Expiry Date</b>	Not Applicable
<b>Responsible Executive</b>	Tyrone Carlin Vice-Chancellor +61 2 66269189
<b>Head of Work Unit</b>	Mark Dixon Director, Governance Services
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