

Examples of Conflicts of Interest

FINANCIAL INTERESTS

A conflict of interest may arise where an individual makes, participates in, or has the ability to influence decisions that could advantage their own personal and/or financial interests or affiliations. Such interests and affiliations may include investments, ownership or directorship of external entities, University consultancies, provision of good or services, receipt of royalties or other considerations.

A conflict of interest may arise, for example, where:

- a staff member or a member of their immediate family has a direct or indirect financial interest, or hold 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 University representative's immediate family member is employed by a prospective/current vendor.
- a supervisor is involved with one of their employees in private business arrangements.
- a staff member provides paid consultancy services to a company that the University intends to contract and is involved in the vendor selection.
- a staff member with decision making powers in relation to a tender offered by the University accepts a gift or hospitality from a person associated with a company which is tendering the work from the University.
- a staff member chairs a committee responsible for allocating internal funding for research at a faculty or University level where funding is granted to the chair's school/department.
- a staff member is required to perform an audit on a business activity of the University in a business area in which he or she has an interest, pecuniary or otherwise.
- a staff member who has been awarded a research grant wishes to authorise private payments to themselves from funds held by the University and under the University's control.
- a financial delegate approves payments to themselves or to someone with whom they have a personal relationship.

RESEARCH

A conflict of interest arises for researchers where a competing private interest compromises, or has the appearance of compromising, the researcher's professional judgment in conducting, evaluating or reporting on research. It may affect, or be seen to affect, not only the collection, analysis and interpretation of data, but also the hiring of staff, procurement of materials, sharing of results, choice of licensees, choice of protocol, involvement of human subjects, and the use of statistical methods.

A conflict of interest may arise, for example, where:

- the research is sponsored by another person or entity with which the researcher has an affiliation or a financial involvement.
- the researcher may benefit, directly or indirectly, from any inappropriate dissemination of research results (including any delay in or restriction upon publication of such results).
- the researcher may personally benefit, directly or indirectly, from the use of University resources in conducting University research.
- the researcher conducts a clinical trial which is sponsored by any person or organisation with a significant interest in the results of the trial.
- private benefits or significant personal or professional advantage are dependent on a researcher's research outcomes.
- in the peer review and publication process, an author, reviewer or editor allows personal conviction, financial interests, or personal views (of amity or enmity) to influence the work improperly.

Annexure A to the Conflict of Interest Policy

- amity or enmity between supervisor and student causes one or both of the parties to act contrary to the best interests of the University.
- in relation to the commercialisation of research, substantial benefits for a researcher arise from collaborations and relationships with industry in the licensing and marketing of research discoveries and in the creation of spin-off companies.

Additional responsibilities for researchers

Researchers have additional responsibilities under the [*Australian Code for the Responsible Conduct of Research*](#) (the Australian Code). The Australian Code recommends that researchers:

- maintain records of activities that may lead to conflicts, for example: consultancies, membership of committees, boards of directors, advisory groups, or selection committees, and where they hold financial delegation or are in receipt of cash services or equipment from outside bodies;
- when invited to join a committee or equivalent, review current activities for actual or apparent conflicts and bring possible conflicts of interest to the attention of those running the process; and
- disclose any actual or apparent conflict of interest as soon as it becomes apparent.

Staff undertaking research should be aware of and comply with any additional requirements for disclosure of conflicts of interest from funding bodies such as the National Health and Medical Research Council (NHMRC).

FOREIGN INFLUENCE AND FOREIGN INTERFERENCE

Foreign influence: All governments, including Australia's, try to influence deliberations on issues of importance to them. These activities, when conducted in an open and transparent manner, are a normal aspect of international relations and diplomacy and can contribute positively to public debate.

Foreign interference: Occurs when activities are carried out by, or on behalf of a foreign actor, which are coercive, covert, deceptive or corrupting and are contrary to Australia's sovereignty, values and national interests.

- Staff need to disclose any activity that may be registerable under the Foreign Influence Transparency Scheme Act as a perceived, potential or actual conflict of interest.
- Certain types of international collaborations, research and sensitive or critical infrastructure may be subject to additional controls and obligations under export control laws and national security provisions (including sanction regimes) to protect against Foreign Interference.
- This undue influence or interference may occur in subtle or covert ways, therefore effective due diligence and transparency are important mitigating strategies. Where a foreign affiliation, relationship, or financial commitment could be perceived as a conflict of interest, this is to be declared.
- Staff need to disclose any engagement with or membership of foreign talent programs and any financial or in-kind support received from any foreign entity
- Conflict of interest management is to be included in research collaboration agreements with international partners.
- Declarations should be included in recruitment processes particularly in sensitive research areas where foreign interference is higher risk.

SECONDARY EMPLOYMENT / OUTSIDE WORK

A conflict of interest arises where an individual's secondary employment or outside work activities create or appear to create a situation where they may not be undertaking work and making decisions in the best interests of the University and / or may not be giving their full commitment to the University in terms of work attendance, performance and behaviour.

A conflict of interest may arise, for example, where secondary employment:

- is undertaken during the same hours that an individual is being compensated as a University officer.
- imposes an obligation on an individual to devote so much time to their secondary employment that

Annexure A to the Conflict of Interest Policy

the amount or quality of their work for the University is compromised.

- makes use of any University facility, equipment or resource including computer software and information technology resources.
- makes use of, or may benefit from, commercial or other information that the individual possesses by virtue of their employment or engagement with the University.
- occurs within an organisation that may compete with the University for funds, staff, students, projects, consultancy or in any other activity.
- occurs within an organisation that supplies the University with equipment, services or staff.
- occurs within an organisation that is a customer of the University and may acquire equipment, services or staff from the University.
- creates a commitment outside the University that involves frequent or prolonged absence(s) from the University on non-University business.

All private consultancies or outside work undertaken in private capacity must be disclosed in accordance with the University's Outside Work Policy.

Unpaid or voluntary work is generally not regarded as secondary employment. However, conflict of interest issues may still arise in relation to voluntary work and should be addressed in accordance with this Conflict of Interest Policy should they occur.

PERSONAL RELATIONSHIPS

Personal and family relationships between staff

A conflict of interest may arise where a staff member is working with family members or with persons with whom they develop close personal relationships or such relationships exist with prospective staff.

Examples of such conflicts of interest include, for example when one staff member is:

- involved in a decision relating to the selection, appointment or promotion of another;
- in a supervisory relationship to another and is responsible for employment-related decisions. Such decisions could include the provision of opportunities and resource allocation for research, conferences and staff training and development; referee reports; or annual performance development reviews.
- is appointed to an appeals committee and has or has had a close personal relationship with another individual who is involved in the decision under appeal.
- is appointed to a University committee established to select the recipient of an award and another individual with a close personal relationship to the individual is a candidate for the award.

Personal and family relationships between staff and students

A conflict of interest arises where an individual has or has had a close personal relationship with a student for whom the individual has academic, administrative or other responsibilities. Such responsibilities may include:

- the supervision of students;
- the assessment of students;
- the selection of students for admission;
- the award of medals or scholarships; or
- the provision of referee reports.

In such cases, the staff member must bring the matter to the attention of their supervisor and take immediate steps to resolve the conflict.

Staff members, in many cases, will be best placed to identify such potential or actual conflict. Therefore, the onus is on the staff member to notify of the conflict of interest.

OTHER

- A staff member uses information received as a University employee for personal purposes.
- A staff member receives gifts, gratuities, loans or special favours (including trips or speakers fees) from research sponsors or vendors.
- A staff member directly receives cash, services or equipment in support of their University activities from non-University sources.
- A staff member or close associate holds an interest, including ownership, in any real or personal property leased or purchased by the University.