Disclosure of Interest Policy

Section 1 - Introduction

(1) The University of Newcastle (University) is committed to upholding public trust and confidence in our integrity, professionalism, operations, and activities. Guided by our values of excellence, equity, engagement and sustainability, and our principles of trust, honesty and accountability, the University requires all individuals to whom this Policy applies to disclose relevant personal interests; and any actual, potential or perceived conflicts of interest; and any gifts or benefits received in the course of duty. Such disclosures must be appropriately managed to safeguard the interests of the University and the national interest.

Section 2 - Purpose

(2) This Policy and it's associated Procedure:

a. establishes the University's requirements for identifying, disclosing, managing, and monitoring conflicts of interest and recording relevant personal interests, and gifts and benefits; and
b. seeks to minimise risk and protect the best interests of the University and individuals.

(3) This Policy must be read in conjunction with the Disclosure of Interest Procedure.

Section 3 - Audience

(4) The following people are required to comply with this Policy and proactively and effectively manage the risks posed by conflicts of interest as they arise:

a. staff, Council members, and members of University committees, panels, and advisory boards;
b. persons appointed by Council to roles with controlled entities or associated entities;
c. Higher Degree by Research (HDR) students; and
d. consultants and contractors to the University.

Section 4 - Scope

(5) This Policy and its associated procedure applies to:

a. all activities, operations, governance and administration of the University, including research activities;
b. all campuses and locations of the University; and
c. all times whilst a person is engaged in University business or otherwise representing the University.

(6) This Policy does not apply to staff of controlled entities.

Section 5 - Definitions

(7) In this Policy and the Disclosure of Interest Procedure:

a. “associate” means an associate as defined by the Income Tax Assessment Act 1936 – Section 318;
b. “benefit” means a non-tangible item of value which is offered to one person or organisation by another, in the course of duty;
c. “bribe” means receiving or offering an undue reward in order to influence that person’s performance of their duty and to act contrary to accepted rules of honesty and integrity;
d. “close personal relationship” means any close personal, familial or other significant relationship (whether romantic, sexual, intimate, cultural, business or financial);
e. “conflict of interest” means circumstances in which someone’s personal interests do or may conflict with their public duty. A conflict of interest can be actual, potential or perceived;
f. “conflict of interest manager” means:
    i. the supervisor responsible for the management and supervision of the discloser;
    ii. an appropriate senior staff member; or
    iii. a chair of a committee or panel convenor who receives a conflict of interest declaration (as relevant) either directly from the discloser or via other University processes and who is responsible, in conjunction with the discloser, for the management of the conflict of interest;
g. “discloser” means a person to whom this Policy applies and who discloses a conflict of interest;
h. “foreign entities or individuals” refers to organisations, institutions, individuals or any other entity formed or based in a jurisdiction, state, or country external to the Commonwealth of Australia;
i. “gift” means a tangible item of value which is offered to one person or organisation by another in the course of duty;
j. “governance body” means the University Council, Council committees, Academic Senate or sub-committees of Academic Senate;
k. “non-reportable gift or benefit” means:
    i. nominal or token items of little value, including perishable items, seasonal or promotional items, or items which may have local cultural significance but are of a negligible commercial value;
    ii. bonafide gifts from colleagues, for example, to mark a personal occasion;
    iii. travel approved in accordance with the Travel Policy, or accommodation or conference attendance which is consistent with the terms of a research grant and for which funding is provided from a recognised Government funding body (e.g. ARC, NHMRC);
    iv. travel approved in accordance with the Travel Policy, or accommodation or conference attendance paid by an external organisation, directly related to the duties of a professional staff member and aligned with their role responsibilities and area of expertise;
    v. travel approved in accordance with the Travel Policy, or accommodation paid for by another university (or similar institution) for work falling within the normal teaching or research duties of an academic staff member;
    vi. travel approved in accordance with the Travel Policy, or conference attendance which is awarded as a prize for an academic achievement;
    vii. University awards and prizes given via the Excellence Awards program or other approved program.
l. “outside work” is as defined by the University's Outside Work Policy;
m. “personal interest” means an interest that may arise from an individual’s private or non-work life that can bring financial or other material benefits, or other intangible items that are of value to the receiver, including arising from close connections such as family connections and/or the interests of an associate, regardless of whether

those interests are domestic or foreign;

n. “prohibited gifts” are gifts of money (including gift or store vouchers) or any form of bribe;
o. “public duty” or “public duties” means a responsibility, authority, obligation or function that is conferred on a person by the University, and in their role as a public official, and includes a duty to serve the University in an ethical manner; and
p. “reportable gift or benefit” means, where it is accepted or declined:
    i. any item, travel, hospitality, entertainment, or other token of appreciation with a value of greater than $150 received in the course of duty;
    ii. gifts offered by a student with a value of greater than $150;
    iii. any series of any items listed in (i) or (ii) from a single source within a calendar year where the collective value of the items is greater than $150;
    iv. prohibited gifts; or
    v. any gift that constitutes an actual, potential or perceived conflict of interest.

Section 6 - Conflicts of Interest

Identifying conflicts of interest

(8) A conflict of interest is when someone’s personal interests do or may conflict with their public duty.

(9) A conflict of interest may be:

a. actual - when an individual's personal interests directly affect or interfere with their public duty. For example, an individual making a procurement decision to engage a company in which they or their family member has a direct financial stake;
b. potential - when an individual's personal interests could potentially interfere with their public duty. For example, an individual joining the board of a company which may benefit from research being undertaken by the University; and
c. perceived – when others may reasonably believe that an individual's personal interests are influencing their public duty, even if an actual conflict does not exist. For example, an individual participating in a recruitment panel when a relative is an applicant, even though the individual does not have a close relationship with the applicant.

(10) Persons to whom this Policy and the Disclosure of Interest Procedure apply are responsible for proactively identifying conflicts of interest. More information about how to identify conflicts of interest and examples of conflicts of interest are set out in the Disclosure of Interest Procedure.

Unnecessary Conflicts of Interest

(11) All unnecessary conflicts of interest must be avoided where reasonably possible. Actions to avoid unnecessary conflicts of interest arising may include, but is not limited to:

a. complying with the University's Outside Work Policy;
b. removal from any activity connected to the University where the activity involves working with another person with whom a personal interest exists;
c. declining, and not soliciting, gifts or benefits either for oneself or for another person, especially when offered from students, direct reports, or suppliers to the University;
d. declining shareholdings or directorships of companies who deal with the University (or obtaining approval for such a role under the Outside Work Policy);

e. declining affiliations or membership of organisations or associations who may deal with the University or be in competition or conflict with the University;
f. not taking part in any matter in relation to any student or other member of the University community with whom you currently have, or have had, a close personal relationship;
g. not taking part in any activity or collaboration with a foreign entity or individual that gives rise to, or may be seen to give rise to, foreign interference by that entity or individual.

Section 7 - Disclosure Requirements

Disclosure of Conflicts of Interest

(12) All actual, potential or perceived conflicts of interest must be disclosed promptly in accordance with the Disclosure of Interest Procedure. Disclosure of a conflict of interest is required even if a related personal interest has previously been disclosed (see Clauses 14-15).

(13) Personal information arising from any disclosure under this Policy will be managed in accordance with the University's Privacy Management Plan.

Disclosure of Personal Interests

(14) All staff are required to make a disclosure of personal interests which may affect or interact with their role, duties or responsibilities for the University.

(15) Relevant personal interests, as outlined in the Disclosure of Interest Procedure, must be disclosed by University staff upon their appointment to a role or position within the University, its controlled entities or affiliated entities, and as a relevant personal interest arises.

Disclosure of Interests Related to Research

(16) In addition to the requirements for disclosing conflicts of interest and relevant personal interests, Researcher's must disclose personal interests and any actual, potential or perceived conflicts of interest that are relevant to the conduct of ongoing or proposed research as provided for in the Disclosure of Interest Procedure.

Disclosure of Reportable Gifts and Benefits

(17) Any offer of a reportable gift or benefit, whether accepted or declined, must be disclosed in accordance with the Disclosure of Interest Procedure.

Annual Attestation

(18) On an annual basis, the following people are also required to make an attestation of interests in accordance with the Disclosure of Interest Procedure:

a. academic staff who are continuing or fixed-term appointments, or as otherwise directed by the University;
b. professional staff who are appointed to roles that are classified HEW8 or above, or as otherwise directed by the University;
c. Council members (as per the Council Charter).

Records and Registers

(19) The University will maintain registers for the above disclosures in accordance with the Disclosure of Interest Procedure.

Section 8 - Managing and Monitoring Conflicts of Interest

(20) The conflict of interest manager, the discloser, and any staff identified in the conflict of interest disclosure must manage conflicts of interest in accordance with the Disclosure of Interest Procedure.

(21) The management of conflicts of interest will involve:

a. consideration of associated risks and their likelihood and consequences;
b. consideration of a range of management options;
c. timely implementation of actions to manage the conflict of interest;
d. monitoring the effectiveness of the conflict of interest management actions, including introducing further actions where necessary; and
e. keeping clear and accurate documentation in accordance with the University's Records Governance Policy.

(22) Staff with functional responsibility for areas where there is a high risk of a conflict of interest arising, must ensure that adequate controls are developed and implemented to identify, manage and monitor conflicts of interest in accordance with this Policy. High risk areas include, but are not limited to:

a. research activities;
b. commercial activities undertaken by the University, including the commercialisation of University intellectual property in any form, including via a University spinout;
c. procurement processes, tenders and contracts;
d. staff recruitment, selection, appointment, re-classification, termination, promotion, development;
e. student admission, enrolment, withdrawal, suspension, appeals and graduation processes;
f. student facing areas including support services and teaching and academic relationships;
g. where significant amounts, or otherwise sensitive information (such as health information or financial information of an individual) or personal information is collected and used;
h. exercising financial and other delegations;
i. alumni, philanthropy, and donations; and
j. marketing, and sponsorships, to or from the University.

Section 9 - Operation and Implementation

Evaluation and Assessment

(23) The University will evaluate the effectiveness of, and compliance with, this Policy and the Disclosure of Interest Procedure on a regular basis. This may involve:

a. evaluation of compliance of all people to whom this Policy applies;
b. assessing the University's responsiveness to and management of disclosures of conflicts of interest;
c. determining the University's ability and vigilance in detecting and addressing failure to disclose conflicts of interest; and
d. recommendations and findings of such an evaluation being reported to the University Council.

Governance

(24) The Legal and Governance Services team will undertake an annual review of the registers for disclosures of personal interests, gifts and benefits, and disclosures of conflicts of interest made during the preceding year; and report any concerns to the Executive Leadership Team and/or Council. The Legal and Governance Services team is also responsible for maintaining a register of all reported non-compliance, which includes those received via the Breach Report, as well as via complaints and other channels.

(25) The University Secretary will undertake an annual review of disclosures made by Council members and report any concerns to the Executive Leadership Team and/or Council.

Training

(26) All persons to whom this Policy applies are required to participate in and complete conflict of interest training as part of their induction, and then bi-annually.

(27) Human Resource Services, in conjunction with Legal and Governance Services, are responsible for the development of training. The University will determine the relevant business unit responsible for delivery of such training, depending on the nature of the audience.

Section 10 - Non-Compliance and Reporting

(28) Concerns over conflicts of interest may be reported as specified in the Disclosure of Interest Procedure.

(29) Breaches of this Policy and the Disclosure of Interest Procedure, including failing to comply with arrangements to manage a conflict of interest, is considered a serious matter by the University.

(30) Breaches of this Policy may result in:

a. disciplinary proceedings; and/or
b. referral or action taken to a statutory authority or agency.

Status and Details

Status	Current
Effective Date	27th November 2025
Review Date	27th November 2028
Approval Authority	Vice-Chancellor
Approval Date	24th November 2025
Expiry Date	Not Applicable
Responsible Executive	Martin Sainsbury Chief People and Culture Officer martin.sainsbury@newcastle.edu.au
Enquiries Contact	Martin Sainsbury Chief People and Culture Officer martin.sainsbury@newcastle.edu.au Human Resource Services

Glossary Terms and Definitions

"Associated entity" - A separate legal entity which is controlled and operated by a separate governing body, but over which the University maintains significant influence but not control.

"University" - The University of Newcastle, a body corporate established under sections 4 and 5 of the University of Newcastle Act 1989.

"Council member" - A person who is a member of the University Council as described in Section 8B of the University of Newcastle Act, 1989.

"Risk" - Effect of uncertainty on objectives. Note: An effect is a deviation from the expected, whether it is positive and/or negative.

"Academic staff" - A person employed as an academic staff member or appointed as an academic honorary appointee (including adjunct, clinical conjoint, visiting, honorary and conjoint appointments), but does not include persons who are employed solely as teachers or professional staff.

"Controlled entity" - Has the same meaning as in section 16A of the University of Newcastle Act 1989.

"Personal information" - Has the same meaning as in the Privacy and Personal Information Protection Act 1998 (NSW).

"Student" - A person formally enrolled in a course or active in a program offered by the University or affiliated entity.

"Health information" - As defined in the Health Records and Information Privacy Act 2002, or any replacing legislation.

"Intellectual property" - Intellectual property (IP), as defined by the World Intellectual Property Organisation, refers to creations of the mind: inventions; literary and artistic works; and symbols, names and images used in commerce. Intellectual property is divided into two categories: Industrial property includes patents for inventions, trademarks, industrial designs and geographical indications; and Copyright covers literary works (such as novels, poems and plays), films, music, artistic works (e.g. drawings, paintings, photographs and sculptures) and architectural design. Rights related to copyright include those of performing artists in their performances, producers of phonograms in their

recordings, and broadcasters in their radio and television programs.

"Research" - As defined in the Australian Code for the Responsible Conduct of Research, or any replacing Code or document.

"Senior staff" - Deputy Vice-Chancellor, Pro Vice-Chancellor, Global Innovation Chair, Global Innovation Professorial Fellow, Head of School, Director or equivalent.

"Staff" - Means a person who was at the relevant time employed by the University and includes professional and academic staff of the University, by contract or ongoing, as well as conjoint staff but does not include visitors to the University.