

POLICY C28.1

CONFLICT OF INTEREST

1.0 INTRODUCTION

1.1 Context

Scentia Holdings Pty Ltd (Scentia) and its subsidiaries, the Australasian College of Health and Wellness Pty Ltd (ACHW), the Australian Institute of Management Education and Training Pty Ltd (AIM) operating as AIM Business School (ABS), and AIM VET, a Registered Training Organisation (RTO), require all workers and Scentia Group representatives to declare any actual, potential or perceived Conflicts of Interest.

1.2 Purpose

This policy defines Conflicts of Interest as well as provides a clear statement of the requirement to identify, declare and avoid Conflicts of Interest. In situations where Conflicts of Interest cannot be avoided, this policy sets the expectations on managing potential associated risk.

This policy should be read in conjunction with the Staff Code of Conduct Policy, and Scentia Gifts and Benefits Policy and Procedure.

1.3 Scope

This policy applies to:

- Workers of Scentia including non-academic and academic workers.
- Scentia Group Representatives, including board members, committee members, consultants, volunteers, third-party providers, and any other representatives appointed.

1.4 Scope Exceptions

This policy does not apply to Students.

2.0 RESPONSIBILITIES

1. Workers and Scentia Group Representatives are required to be familiar with and comply with the terms of this policy at all times.
2. Workers and Scentia Group Representatives are responsible for declaring any real, perceived or potential Conflicts of Interest.

3. The Head of People and Culture is responsible for collecting and maintaining all records related to Conflicts of Interest and storing these in line with privacy requirements.
4. The Chief Executive Officer (CEO) and Chief Financial Officer (CFO) are responsible for determining the outcome of a Conflict of Interest declaration, including where appropriate establishing a risk mitigation strategy.

3.0 POLICY

3.1 Identifying Conflicts of interest

1. A Conflict of Interest is defined by Scentia as a matter where an individual's private interests or personal relationships could improperly influence the way in which that individual carries out their duties. Conflicts of Interest may be real, perceived or potential.
2. Where a Worker or Scentia Group Representative requires assistance with identifying a Conflict of Interest, they may consult their direct manager or the Head of People and Culture.
3. Gifts and benefits may create a Conflict of Interest and as such Workers and Scentia Group Representatives must comply with the Scentia Gifts and Benefits Policy and Procedure.

3.2 Declaring conflicts of interest

1. All Workers and Scentia Group Representatives are responsible for declaring any actual, potential, or perceived Conflict of Interest to the Head of People and Culture as soon as it arises.
2. Workers responsible for the appointment of Workers and/or establishing contracts with individuals or organisation on behalf of the Scentia Group must declare Conflicts of Interest to the Head of People and Culture prior to making an appointment and/or finalising a contract.
3. Workers and contractors who engage with Scentia in other capacities such as through a supplier relationship either as individuals or under other company names must declare Conflicts of Interest to the Head of People and Culture.
4. Workers employed on a permanent basis must disclose to the Head of People and Culture:
 - a. any contract work they undertake outside of Scentia in the Education sector including membership on Academic Committees, Academic Boards, or other governance boards in this sector.

- b. if they are engaged in other paid employment (such as a second job, conducting a business, trade, or profession) or volunteering during standard Scentia business hours.
5. Academic Workers must notify Conflicts of Interest relating to students to the Executive Directors immediately so that appropriate arrangements can be made.
6. Conflicts of Interest that may arise in governance boards and committees will be handled in line with the Scentia Governance Manual.
7. Scentia requires that a declaration of a Conflict of Interest is made in writing using the Conflict of Interest- Declaration Form (refer Annexure A) and submitted to the Head of People and Culture.

3.3 Managing conflicts of interest

1. Scentia's preferred approach is for all Conflicts of Interest to be avoided; however, if that is not possible, they need to be managed in order to mitigate potential risk in a manner that ensures integrity and transparency.
2. Declarations of Conflicts of Interest will be presented by the Head of People and Culture to the Scentia CEO and CFO who will determine an appropriate risk mitigation strategy.
3. Risk mitigation strategies may include but are not limited to:
 - a. Recording the Conflict of Interest (for low-risk cases only).
 - b. Limiting the involvement of or removing affected individuals from relevant matters/duties.
 - c. Including an additional non-affected individual in cases that require decision-making such as appointment of Workers or signing of contracts.
 - d. Asking an individual to relinquish the personal interest.
 - e. Where no other option is available, resignation of the individual or termination of the contract.
4. The CEO and CFO (or nominated delegate) will record each declaration and its associated risk mitigation strategy on the Conflict of Interest Register.
5. The Head of People and Culture will record information provided under clause 3.2.4 of this Policy on the Conflict of Interest Register.

3.4 Record keeping and Privacy

1. The Head of People and Culture is responsible for maintaining all records relating to a Conflict of Interest.
2. In cases where Conflict of Interests involve sharing of personal and/or sensitive information the Scentia Privacy of Staff Information and Records Policy and Procedure applies.

3.5 Failure to disclose

1. Workers and Scentia Group Representatives who are considered to have breached this Policy, the Staff Code of Conduct and other relevant policies and procedures may be subject to action under the Discipline and Termination of Employment Policy and Procedure.

4.0 DEFINITIONS

- **Conflict/s of interest-** where an individual's private interests or personal relationships could improperly influence how that individual would carry out their duties. A Conflict of Interest may be real, perceived or potential:
 - Real - where a direct conflict exists between duties and existing private interests/ personal relationships.
 - Perceived - where it appears or could be perceived that private interests/ personal relationships are improperly influencing the performance of duties whether or not that is actually the case.
 - Potential - where private interests are not but could come into direct conflict with duties.
- **Scentia Group Representatives-** Refers to any person that is employed by Scentia Group or that represents the Scentia Group. It includes Workers, board members, committee members, contractors, consultants, volunteers and third party providers.
- **Personal Relationships-** a relationship with individuals within or outside of the Scentia Group that could result in bias, either positive or negative. For example, immediate family, friends, partners, competitors etc.
- **Private interests-** refers to interests that involve a potential gain or loss (financial or non-financial) that could lead to bias that favours or disadvantages an individual or an organisation.
- **Workers** - employees, contractors, agency staff, labour hire staff, people on work experience, sub-contractors, volunteers, trainees and outworkers.

5.0 REFERENCES AND ASSOCIATED INFORMATION

- Staff Code of Conduct
- Recruitment and Induction of Academic Staff Policy and Procedure
- Recruitment and Induction of Non-Academic Staff Policy and Procedure
- Gifts and Benefits Policy and Procedure
- Discipline and Termination Policy and Procedure
- Privacy of Staff Information and Records Policy and Procedure
- Scentia Governance Manual
- Scentia Business Code of Conduct

Note: This policy does not have a procedure.

6.0 POLICY OWNERSHIP

Policy Owner	Head of People and Culture
Status	Reviewed on July 2024
Approval Authority	CEO
Date of Approval	27 August 2024
Effective Date	6 September 2024
Implementation Owner	Head of People and Culture
Maintenance Owner	Head of People and Culture
Review Due	September 2027
Content Enquiries	Liz Douglas - Head of People and Culture Email: ldouglas@scentia.com.au

7.0 AMENDMENTS

Version	Amendment Approval (Date)	Amendment Made By (Position)	Amendment Details
C28.0	15/11/2021	Head of People and Culture	New
C28.1	23 July 2024	Head of Compliance	Minor edits to improve clarity. Replace terminology “staff” with “workers”.

Annexure A

Conflict of Interest- Declaration Form

To be Completed by the Individual Declaring the Conflict/s of Interest		
Surname		
Given name		
Position		
Scentia Group Brand and location		
Direct Manager's name (if applicable)		
Organisation name represented (if applicable)		
Nature of Appointment:	<input type="checkbox"/> Academic Workers <input type="checkbox"/> Non-Academic <input type="checkbox"/> Consultant <input type="checkbox"/> Board/Committee Member <input type="checkbox"/> Volunteer <input type="checkbox"/> Contractor <input type="checkbox"/> Other:	
Describe the private interests that have the potential to impact on your ability to carry out, or be seen to carry out, your duties:		
Describe the expected role/duties you are required to perform:		
The conflict of interest has been identified as: (Please select one of the following)		
<input type="checkbox"/> Real	<input type="checkbox"/> Perceived	<input type="checkbox"/> Potential

Action by CEO and CFO			
Describe the action proposed to mitigate the Conflict of Interest which has been disclosed and the reasons for the decisions:			
The above action has been discussed with the Individual Declaring the Conflict of Interest and is appropriate to resolve the conflict of interest disclosed above.			
Signature of CEO or CFO:		Date:	
Individual Declaring Conflict of Interest Endorsement:		Date:	

The form was created with reference to the [Conflict of Interest Guidelines, Sept 2017, created by the Office of the Commonwealth Ombudsman.](#)