

# Conflict of Interest Procedure

## Section 1 - Introduction

(1) This Procedure must be read in conjunction with the [Conflict of Interest Policy](#). This Procedure supports the Policy in:

- a. protecting the best interests of the University and individuals; and
- b. maintaining public trust and confidence in our integrity, professionalism, operations, and activities.

## Section 2 - Identifying Conflicts of Interest

(2) To determine whether a conflict of interest exists individuals must take each of the following elements into consideration:

- a. if a personal interest exists;
- b. if a public duty exists;
- c. if there is a connection between the personal interest and the public duty; and
- d. if a reasonable person could perceive that the personal interest may be favoured over the public duty. This is an objective test that considers how a hypothetical individual, who exercises sound judgment and common sense, would act under the same circumstances as the person being assessed.

(3) The [Guidance Note - Identifying Conflicts of Interests](#) has been developed to assist with identifying conflicts of interest.

(4) Individuals should also carefully consider the following personal interests from which conflicts commonly arise:

Personal Interests	Examples of how a conflict may arise
<p>Personal Relationships: Individuals must carefully consider how their personal relationships may interact with their University obligations and duties. Personal relationships include:</p> <ol style="list-style-type: none"> <li>a. familial relationships: including parents, partner, siblings, nieces, nephews, mixed families, spouse/partners family;</li> <li>b. other close personal relationships: close friends, long-term colleagues, intimate personal relationships;</li> <li>c. financial relationships: persons with whom an individual has a commercial relationship and/or from whom the individual benefits financially;</li> <li>d. clubs/associations/organisations: sporting, social, community, or recreational groups with whom the individual has an ongoing relationship.</li> </ol>	<p>Example 1: A College member serves on a grant review committee and has to evaluate a research proposal submitted by a close friend.</p> <p>Example 2: A staff member is involved in the procurement of a new computer system. The staff member's partner works for one of the tenderers and will receive a bonus if the tender is successful.</p> <p>In both examples, the individual's personal relationship could influence their decision-making that may be required as a University staff member.</p>
<p>Significant negative relationships or interactions between individuals may also create a conflict of interest, for example, if a person has made serious allegations about the other person's conduct.</p>	<p>A staff member is a member of a recruitment panel and one of the applicants for the role has previously made a series of complaints about the staff member on the recruitment panel.</p>

Personal Interests	Examples of how a conflict may arise
<p>Private interests: Individuals will have a range of financial and non-financial private interests which may interact with their University obligations and duties. These can include:</p> <ul style="list-style-type: none"> <li>a. board memberships;</li> <li>b. shares or investments;</li> <li>c. loans or debts;</li> <li>d. intellectual property;</li> <li>e. personal contracts or agreements;</li> <li>f. donations or philanthropy.</li> </ul>	<p>Example 1: A University staff member has a significant shareholding in a private tutoring company. They use their position in Student Central to promote the company's services to students, which could directly benefit their investment.</p> <p>Example 2: A University staff member is involved in philanthropic work for an organisation with which the University is considering partnering on a campaign. The staff member is part of the committee making this decision.</p> <p>Example 3: A staff member identifies valuable Intellectual property developed at the University and recommends to their partner or family member to consider funding commercialisation of the associated research.</p>
<p>Outside work: Whether paid or unpaid, outside work has the potential to conflict with an individual's obligations and duties for the University. Potential sources or future outside work or income may also create a potential conflict of interest.</p>	<p>Example 1: A University staff member engages in paid consulting work for a company that is also a supplier to the University. Their outside employment could influence their decisions in procurement and other University matters. Any University employee in paid outside work should comply with the University's <a href="#">Outside Work Policy</a>.</p> <p>Example 2: A University material sciences professor is engaged as a consultant by a private nanotechnology company that has commenced research and development of a new material that is relevant to the professor's research and is in direct competition with the University's research initiatives. This conflict of interest raises concerns about the potential for biased decision-making, misallocation of University resources, or the sharing of confidential research findings to benefit the private nanotechnology company.</p>
<p>Commercialisation: Commercialising research into a product or service, such as starting a private company or patenting a technology, may create complex potential conflicts of interest, such as interfering with academic duties and objectivity.</p>	<p>A University professor is involved in research that leads to the development of a new technology. With the support of the Knowledge Exchange &amp; Enterprise team and in accordance with the provisions of the <a href="#">Intellectual Property Policy</a> and other applicable processes, the professor starts a private company to commercialise the technology. Their role in the company may compromise their objectivity and commitment to their research on the viability of the new technology.</p>
<p>Personal Benefits: When an individual receives personal advantages (such as discounts or incentives) or avoids disadvantages (such as late fees or penalties) this may create a potential conflict of interest in some circumstances.</p>	<p>A Researcher receives a personal discount on equipment from a supplier. They then recommend that supplier to their department for the purchase of lab equipment, which could result in further personal benefits for the Researcher.</p>
<p>Financial: Accepting grants or funding from external organisations has the potential to create a conflict of interest.</p>	<p>A University staff member receives a research grant from an organisation that stands to benefit from the study's findings, potentially influencing the research outcomes.</p>
<p>Gifts, benefits and hospitality: Receiving gifts, travel perks, or other benefits has the potential to create a conflict of interest.</p>	<p>A College member receives gifts and travel perks from a textbook publisher. They then advocate for the adoption of that publisher's textbooks in their courses.</p>

## Section 3 - Disclosing Conflicts of Interest

### Conflicts of Interest

(5) Where it is identified that an actual, perceived, or potential conflict of interest exists or may exist the interest must be disclosed promptly in accordance with this Procedure.

(6) If an individual is in any doubt as to whether there may be an actual, perceived, or potential conflict of interest, they must disclose it – even if the relevant circumstances seem minor or unimportant. Erring on the side of caution is

the best way to ensure a conflict of interest is appropriately managed.

(7) Where a supervisor; meeting, governance body, or committee chair; or panel convenor becomes aware of a conflict of interest or perceives a conflict of interest that has not been disclosed, they should discuss the matter with the individual and encourage full disclosure in accordance with this Procedure. If the conflict of interest is not disclosed by the individual following such encouragement, then the supervisor; meeting, governance body or committee chair; or panel convenor must submit a breach report.

(8) Conflicts of interest must be disclosed as set out below. How a conflict of interest is disclosed depends on the circumstances in which it arises.

## **Disclosure at Meetings and Panels**

(9) A person in attendance at a meeting or panel that is scheduled to deal with any of the following, must declare any conflict of interest at the commencement of the meeting:

- a. matters of University governance;
- b. matters that are likely to be impacted by that person's personal interests; or
- c. decisions that are dependent on natural justice, including but not limited to:
  - i. research misconduct;
  - ii. matters relating to the management of human resources, including processes under any particular [enterprise agreement](#);
  - iii. tenders, grants, donations, sponsorship, scholarships, recruitment, procurement, contract management or facilities and resources;
  - iv. complaints and grievances; and
  - v. appeals.

(10) The disclosure may be made in a manner that does not disclose the specific nature of the conflict where this information may breach another person's privacy, but must provide sufficient information to allow the Chair or Panel Convenor to be satisfied that the conflict can be managed without details of its nature being disclosed.

(11) Where a conflict of interest is declared at a meeting the chair or panel convenor is responsible for assessing the conflict of interest and determining the management response in accordance with this Procedure. The Chair or Panel Convenor will declare at the commencement of meeting or panel deliberations that either:

- a. no conflict of interest exists in any matter before the meeting; or
- b. a conflict of interest exists in relation to a matter before the meeting.

(12) The following information must be recorded in the meeting / panel minutes:

- a. that a conflict of interest has been declared; and
- b. the manner in which it will be / was managed.

(13) The process for managing conflict of interests disclosed in meetings and panels must be in accordance with Section 6, including the submission of the [Conflict of Interest Declaration Form](#) by the disclosure and documentation of the management plan by the Chair or Panel Convenor.

## **Disclosure During the Course of University Business**

(14) Conflicts of interest that become apparent during the course of duty or University business must be disclosed by the discloser to their conflict of interest manager in writing within seven working days of it becoming apparent.

Disclosure of conflicts of interest that become apparent during a particular activity, process, or project (as opposed to just generally becoming apparent) must be made as soon as possible.

(15) Activities, processes, or projects that may be impacted by a conflict of interest include, but are not limited to:

- a. recruitment and other human resource activities;
- b. staff / student misconduct processes;
- c. procurement / asset disposal activities;
- d. donor, sponsorship, grant and scholarship activities, including research;
- e. debt waivers or concessional terms;
- f. contract or agreement-based activities;
- g. commercialisation including licensing or transferring ownership of intellectual property;
- h. third party partnership arrangements;
- i. commencing or participating in legal proceedings; or
- j. student admission, selection, or academic processes including teaching or supervision.

(16) Following the disclosure of the conflict of interest, the discloser and the conflict of interest manager must comply with Section 6 in relation to its management.

(17) For conflicts of interests that are relevant to the conduct of the proposed or ongoing research and are disclosed by researchers please see clause 26.

## **Section 4 - Disclosure of Personal Interests**

(18) Staff are required to declare personal interests which may affect or interact with their role, duties, or responsibilities for the University in accordance with this Procedure including, in the case of Researchers, any personal interests that may be relevant to ongoing or proposed research that they conduct at the University. Personal interests that are required to be declared include, but are not limited to:

- a. sources of income from outside work;
- b. interests (including shareholdings, bonds, or other beneficial or financial interests) and positions (such as directorships) in corporations, business ventures (such as a start-up company, spin-out company or partnership) or other organisations including, but not limited to, where the corporation, business venture or other organisation is conducting business with the University or is funding research at the University;
- c. national and international academic appointments, including non-remunerated appointments, at academic and other organisations not affiliated with the University;
- d. significant shareholdings of more than 5% of a company's voting rights;
- e. investments in real estate;
- f. positions or membership in professional or business associations;
- g. other beneficial interests which may, to a reasonable person, be considered relevant to the University;
- h. relationships of a nature which give rise to an actual, perceived, or potential conflict of interest with a person's public duties or responsibilities at the University;
- i. any of the above held by a close family member, partner, or significant other, or an associate which may, to a reasonable person, be considered relevant to the University; and
- j. in the case of Researchers, any affiliation with any organisation or industry group that may be affected by their research.

## Initial Disclosure of Personal Interests

(19) At the commencement of appointment to a role or position with the University, staff and Council members will be required to complete a disclosure of personal interests, as a component of their induction.

## Annual Declaration of Personal Interests

(20) Staff required to complete an annual declaration of personal interests, as outlined in the [Conflict of Interest Policy](#), are required to disclose personal interests using the [Personal Interests Declaration](#) by 30 November annually.

(21) This process will be co-ordinated by Human Resource Services.

(22) Annual declarations will be maintained by Human Resource Services in the declaration register and in accordance with the [Privacy Management Plan](#) and [Records Governance Policy](#).

(23) Staff who have made an annual declaration of personal interests must:

- a. update or change any declarations promptly when there is any changes to the circumstances relating to their declaration, by completing a new [Personal Interests Declaration](#) and submitting it to Human Resource Services; and
- b. disclose and manage any actual, perceived, or potential conflicts of interest in accordance with Section 6 of this Procedure even if the personal interest has been declared.

## Disclosure of Personal Interests by Researchers in relation to research

(24) In addition to the requirements of this Procedure, Researchers must disclose personal interests which may be relevant to any proposed or ongoing research that they conduct at the University:

- a. to the University in accordance with this Procedure, regardless of whether there is an actual, perceived, or potential conflict of interest. This reflects the requirements in the “Disclosure of interests and management of conflicts of interests – A guide supporting the Australian Code for the Responsible Conduct of Research”; and
- b. to funding bodies (including as required by the body's policies, regulations, and rules and any associated grant agreement), research participants, publishers and journal editors, collaborators and the public, where required.

(25) Whilst it is the Researcher's responsibility to determine if a personal interest may or may not be relevant to any proposed or ongoing research, assistance in making this determination may be sought from the Research Ethics and Integrity Unit or the Deputy Vice-Chancellor (Research and Innovation).

(26) Personal interests and conflicts of interests that are relevant to the conduct of the proposed or ongoing research disclosed by Researchers must be:

- a. recorded in an Application Coversheet Form prior to submitting a proposal for external research funding where the interest relates to proposed research;
- b. recorded in a Grant Establishment Form at the time of establishing new research funding where the interest relates to funded research;
- c. in the case of personal interests arising at any time, in an updated [Personal Interest Declaration](#) as soon as a personal interest arises that is relevant to a pending research application or funding research grant and, in any case, with seven days of the personal interest arising; and
- d. in the case of an actual, perceived, or potential conflict of interest (and in addition to (a) and (b)), in writing to the Researchers conflict of interest manager as soon as practicable and, in any case, with seven days of the conflict of interest arising or becoming apparent. The conflict of interest must then be managed in accordance with Section 6.

## Section 5 - Gifts and Benefits

(27) Staff and Council members must not solicit nor accept gifts or benefits either for themselves or for another person which might in any way be seen to directly or indirectly compromise or influence them in their official capacity.

(28) Staff and Council members must not accept prohibited gifts.

### Disclosure of Reportable Gifts and Benefits

(29) Staff and Council members who are offered a reportable gift or benefit must complete a [Gifts or Benefits Declaration Form](#) regardless of whether the reportable gift or benefit is accepted or declined, and submit this to their supervisor (or in the case of Council members to the University Secretary) and comply with the instructions on the form.

(30) The [Gifts or Benefits Declaration Form](#) should be completed within seven working days of the reportable gift or benefit being offered.

### Registers

(31) The following registers will be maintained:

Register	Responsibility for Maintaining Register
Conflict of Interest Register (Staff)	Human Resource Services
Conflict of Interest Register (Council)	Governance and Assurance Services
Personal Interest Register	Human Resource Services
Reportable Gifts and Benefits Register	Human Resource Services

(32) All registers must be stored in the University's record management system, in accordance with the [Records Governance Policy](#).

## Section 6 - Managing Conflicts of Interest

(33) The conflict of interest manager, in consultation and conjunction with the discloser, is responsible for:

- a. taking adequate steps to verify the accuracy of the disclosure commensurate with the seriousness of the conflict;
- b. assessing the risk of the conflict of interest, in accordance with the [Risk Management Framework](#);
- c. considering all options for managing the conflict of interest, and selecting the most appropriate option;
- d. documenting the management response;
- e. implementing the management response; and
- f. submitting a Conflict of Interest Management Plan as part of the [Conflict of Interest Declaration Form](#) within seven working days of implementing the management response.

### Verifying the accuracy of a declaration of a conflict of interest

(34) The conflict of interest manager, or any other relevant staff member (such as a staff member within Human Resource Services or the Research Division), may take steps to verify the accuracy of the disclosure by:

- a. requesting additional information based on the disclosure, including relevant documentation;

- b. speaking to any other parties that may be involved or referred to in the disclosure;
- c. making other independent inquiries, such as checking company registers.

## **Assessing the risk of the conflict of interest**

(35) The conflict of interest manager must assess the risk associated with the disclosure in accordance with the [Risk Management Framework](#). The outcome of this assessment is a risk rating of extreme, high, medium, low, or insignificant.

(36) Risk factors which should be taken into account when conducting the risk assessment may include:

- a. potential consequences if a personal interest was favoured over public duty;
- b. activities, transactions, or projects relevant to the context of the conflict of interest;
- c. activities relevant to the impacted business unit, division, or college;
- d. the discloser's involvement and their ability to influence;
- e. the discloser's personal interest;
- f. potential deviations from University process or probity issues;
- g. the potential for foreign interference;
- h. public perception; and
- i. the duration of the conflict.

(37) To assist in the assessment of these factors see the [Conflict of Interest Risk Assessment Considerations](#).

(38) A formal risk assessment must be documented in writing when the outcome of the risk assessment is or is likely to be 'medium' or higher, or the conflict of interest otherwise relates to a sensitive, serious, or contentious issue, or a key University decision (being a University matter that is delegated to Deputy Vice-Chancellor or Chief Operating Officer, or above).

(39) The formal written risk assessment must be submitted by the conflict of interest manager alongside the [Conflict of Interest Declaration Form](#).

## **Conflict of interest management options**

(40) The conflict of interest manager, in consultation with the discloser, must determine the appropriate management option(s). A conflict of interest management option is a strategy or action taken to mitigate, reduce, or eliminate conflicts of interest that have been disclosed. The appropriate management option(s) will depend on the outcome of the risk assessment.

(41) Unless the risk is insignificant, generally, some form of management will be required. It is not sufficient for the discloser to 'manage' a conflict themselves, for example, by 'compartmentalising' the relevant experiences, relationships, or other personal interests which may give rise to the conflict of interest.

(42) Where the risk assessment of a conflict of interest determines the risk to be:

- a. extreme, the management option must be to:
  - i. remove the person from the relevant activity; or
  - ii. not proceed with the activity.
- b. high, the management option must be to remove the person from the relevant activity, where this is practical. Where the removal of the person from the relevant activity is not practical, the management option(s) must be:
  - i. approved by an appropriate delegate; and

ii. assessed to determine if it will reduce the risk to an acceptable level.

(43) Management options may involve a mix of responses. Management options considered should include:

- a. taking no further action (where there is an insignificant risk only);
- b. changing the discloser's relevant activities, for example, the discloser:
  - i. may recuse themselves from decision-making in relation to an activity giving rise to the conflict of interest; or
  - ii. may remove themselves from the conduct of the activity altogether;
  - iii. is treated as an arm's length third party, under contractual arrangements, by University staff in the context of the activities giving rise to the conflict; or
  - iv. in extreme circumstances, the discloser may resign;
- c. changing the discloser's relevant personal interest (for example, the discloser may resign from a directorship giving rise to the conflict of interest or sell or transfer their interest in a company that is giving rise to the conflict of interest); and/or
- d. changing the activity, project, system, or process (for example, independent reviewers may be added to a decision-making process for oversight).

(44) The management option(s) chosen should be tailored to the individual circumstances and ensure an appropriate level of confidentiality.

(45) Please see [Conflict of Interest Management Options](#) to assist with identifying suitable management options.

(46) While the time required to determine suitable management option(s) will depend on the complexity of the conflict of interest, the general expectation is that a management response should be implemented as soon as practicable and within four weeks of the disclosure for conflicts that are assessed as having a risk rating of medium or above. Unless the risk is insignificant, a person should not continue to act in circumstances where there is a conflict of interest without a management option being implemented. As such, while the management option is being determined, an interim arrangement such as removing the person from the activity may be required.

## **Documenting the management response**

(47) Regardless of the assessed risk, the management option(s) implemented must be documented on the [Conflict of Interest Declaration Form](#) to record the decision taken. This is the responsibility of the conflict of interest manager, in consultation with the discloser.

(48) Where the conflict of interest is assessed to be a high or extreme risk, a detailed plan of action must be documented to:

- a. allocate responsibilities for actions;
- b. determine and allocate monitoring actions;
- c. guide the implementation of the management option;
- d. record and detail when and how the management option was implemented;
- e. state when, how and by whom the management option will be re-assessed to determine whether it is effectively managing the conflict of interest.

(49) All plans of action referred to in clause 48 must be prepared and signed by the conflict of interest manager, and approved by an appropriate delegate.

(50) A conflict of interest manager who has received a conflict of interest disclosure that is assessed to be high or



extreme risk is encouraged to seek advice and support from Human Resource Services and/or the Grants Office (if research related) to manage the conflict, including about the preparation of the detailed plan of management action.

(51) For conflict of interest declarations that are assessed as medium risk or higher, the conflict of interest manager must monitor and periodically report compliance with the documented plan of action to the relevant delegate and Human Resource Services. Reporting periods should be agreed with the conflict of interest manager and the approver and must be at least every six months until the conflict of interest no longer exists. The reports must be stored confidentially in accordance with the [Records Governance Policy](#).

(52) For research activities or matters where there may be potential for foreign interference by a foreign entity or individual, and where a conflict of interest exists, periodic reporting (at least every six months) of compliance with the documented plan of action for managing the conflict of interest is required to be made to the Deputy Vice-Chancellor (Research and Innovation) until the conflict of interest ceases to exist.

(53) For other activities or matters related to potential for foreign interference by a foreign entity or individual, and where a conflict of interest exists, periodic reporting (at least every six (6) months) of compliance with the documented plan of action for managing the conflict of interest is required to be made to the Deputy Vice-Chancellor Global until the conflict of interest ceases to exist.

(54) For further information in relation to clauses 52 and 53, see the University's [National Security Compliance](#) webpage and the [Transparency and Disclosure Policy](#). The receivers of the reports referred to in clauses 52 and 53 must take appropriate action to counter the risk of foreign interference, which may include referring the matter to the Foreign Interference Committee for management, and must store the reports confidentially in accordance with the [Records Governance Policy](#).

(55) Plans of action to manage conflicts of interest assessed as high or extreme must include a further risk assessment post implementation (at least every twelve (12) months) to ensure that the risk has been reduced to an acceptable level. If the risk has not been reduced, or has increased, then the conflict of interest manager must implement additional or different management options, as appropriate, and those options documented in an updated plan of action that is approved by an appropriate delegate.

(56) All documents relating to conflicts of interest must be managed in accordance with the [Records Governance Policy](#).

## **Implementing the management response**

(57) The conflict of interest manager is responsible for ensuring implementation of the management option(s). They must:

- a. ensure that all agreed changes and control measures are implemented;
- b. seek additional resources where required, including approval of;
- c. monitor changes in the conflict of interest and introduce additional management options where necessary; and
- d. include prompts and reminders to others involved in the activity, project, or matter to disclose any new or changed personal interests or conflicts of interest.

## **Section 7 - Managing Non-Compliance**

(58) Suspected, actual or potential non-compliance with this Procedure and the [Conflict of Interest Policy](#) must be reported in accordance with the [Compliance Management Framework](#) using a [Breach Report](#).

(59) The University will consider the severity and implications of any breach of the [Conflict of Interest Policy](#) and this

Procedure, and may take action in accordance with:

- a. the misconduct / serious misconduct provisions of a relevant [enterprise agreement](#);
- b. an employment contract;
- c. the [Research Breach Investigation Procedure](#);
- d. the [Student Conduct Rule](#) (for student breaches); or
- e. this Procedure.

(60) All investigations into alleged non-compliance with this Procedure and the [Conflict of Interest Policy](#) will be conducted:

- a. in accordance with the relevant [enterprise agreement](#), where applicable; or
- b. for staff members not covered by an [enterprise agreement](#), by a staff member who is senior to the person who has breached the Procedure, and who is independent of the breach; or
- c. where 62(b) cannot be met, by a party independent to the University and the breach.

(61) Records of investigations and actions taken to manage non-compliance must be managed in accordance with the [Records Governance Policy](#).

(62) Persons reporting or dealing with non-compliance with this Procedure and the [Conflict of Interest Policy](#) are required to maintain the highest level of confidentiality.

## Section 8 - Complaints

(63) Where a student has concerns regarding the existence or management of a conflict of interest the matter can be discussed with Campus Care or a Student Advocate, or the student's supervisor or relevant senior staff member. If the matter cannot be resolved this way, and the student is concerned that the conflict of interest has not been disclosed or managed in accordance with this Procedure, contact should be made with the Complaints team within Legal and Compliance, and the matter may be dealt with in accordance with the provisions of the [Complaint Management Policy](#).

(64) Where a community member (other than a staff member or student) is concerned that a conflict of interest of a University staff member or student has not been disclosed or managed in accordance with this Procedure, contact should be made with the Complaints team within Legal and Compliance, and the matter may be dealt with in accordance with the provisions of the [Complaint Management Policy](#).

(65) Complaints regarding the management of conflicts of interest will be handled in accordance with the [Complaint Management Policy](#) and its associated procedure (where made by a student or community member) or the Resolving Workplace Concerns and Grievances Procedure (where made by a staff member).

(66) Despite clauses 63-65, reports of wrongdoing in relation to a conflict of interest will be handled in accordance with the University's [Public Interest Disclosures Policy](#) if the requirements for a public interest disclosure in accordance with the [Public Interest Disclosures Act 2022 \(NSW\)](#) are met.

## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	27th September 2024
<b>Review Date</b>	8th April 2027
<b>Approval Authority</b>	Chief People and Culture Officer
<b>Approval Date</b>	26th September 2024
<b>Expiry Date</b>	Not Applicable
<b>Responsible Executive</b>	Martin Sainsbury Chief People and Culture Officer martin.sainsbury@newcastle.edu.au
<b>Enquiries Contact</b>	Martin Sainsbury Chief People and Culture Officer martin.sainsbury@newcastle.edu.au <hr/> Human Resource Services

## Glossary Terms and Definitions

**"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.

**"Risk assessment"** - The overall process of risk identification, risk analysis, and risk evaluation.

**"Working day"** - Any day other than Saturday, Sunday, or a public holiday in Newcastle, on which business may be conducted.

**"Asset"** - Any tangible or intangible item (or group of items) that the University owns or has a legal or other right to control and exploit to obtain financial or other economic benefits.

**"Campus Care"** - The program which has been set up as a central point of enquiry for information, advice and support in managing inappropriate, concerning or threatening behaviours.

**"Course"** - When referring to a course offered by the University, a course is a set of learning activities or learning opportunities with defined, assessed and recorded learning outcomes. A course will be identified by an alphanumeric course code and course title. Course types include core courses, compulsory courses, directed courses, capstone courses and electives. For all other uses of this term, the generic definition applies.

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

**"Student misconduct"** - Academic misconduct, non-academic misconduct and/or research misconduct.

**"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.

**"Research misconduct"** - Means conduct by a student that is defined as research misconduct in the Student Conduct Rule.

**"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.

**"University business"** - Work that the University has directed to be undertaken which is required, essential, and beneficial for the functions of the University. This includes, but is not limited to, attending meetings, conferences or fieldwork, but does not include activity that is not location specific, e.g. email management, writing papers. University business may be undertaken by staff and non-staff.

**"College"** - An organisational unit established within the University by the Council.

**"Foreign interference"** - Foreign interference occurs when activities are carried out by, or on behalf of, a foreign actor that are coercive, clandestine, deceptive or corrupting and are contrary to Australia's sovereignty, values and national interests.

**"Delegate"** - (noun) refers to a person occupying a position that has been granted or sub-delegated a delegation of authority, or a committee or body that has been granted or sub-delegated a delegation of authority.