

# Transparency and Disclosure Policy

## Section 1 - Introduction

(1) The University of Newcastle (the University) is committed to education and research that delivers innovation and drives global and regional impact. In doing so, the University is committed to:

- a. facilitating the proactive disclosure of information;
- b. balancing the transparency of information in relation to our operations and the confidentiality required by our students, staff, partners, and regulators; and
- c. demonstrating how our legislative, regulatory and external compliance obligations are met.

(2) Underpinning the above commitments is the University's due diligence processes that evaluate disclosures within our operational context in consideration of the regulatory environment which we operate within.

## Section 2 - Purpose

(3) This policy:

- a. establishes the University's requirements for disclosure and transparency;
- b. seeks to ensure compliance with legislation relevant to higher education; and
- c. seeks to minimise risk and protect the interests of the University and its students, staff, partners and stakeholders.

(4) This policy should also be read in conjunction with the following policies and their associated documents:

- a. [Conflict of Interest Policy](#);
- b. [Intellectual Property Policy](#);
- c. [Digital Security Policy](#);
- d. [Records Governance Policy](#);
- e. [Talent, Recruitment and Appointment Policy](#);
- f. [Responsible Conduct of Research Policy](#); and
- g. [Travel Policy](#).

## Section 3 - Audience

(5) This policy is intended to provide clarity for all audiences, whether they be our staff, students, partners, or the general public.

## Section 4 - Scope

(6) This policy applies to:

- a. all University staff and students;
- b. all activities, operations, governance and administration of the University, including research activities;
- c. all campuses and locations of the University; and
- d. all times while engaged in University teaching, learning and research or otherwise representing the University.

## Section 5 - Definitions

(7) In the context of this document:

- a. disclosure is the process of making facts or information known;
- b. due diligence refers to the measure or exercise of care enacted by an individual or entity under given circumstances. An organisation exercising due diligence takes every precaution reasonable in the circumstances to protect the interests of the organisation. Due diligence mechanisms may include audits, investigations, and reviews; and
- c. transparency or being transparent is the process of being open, honest, and straightforward about various activities, arrangements and initiatives being undertaken in relation to the University's operations.

## Section 6 - General Policy Requirements

### Staff Disclosures

(8) The University has tools and mechanisms to facilitate transparency and the disclosure of information held in relation to activities being undertaken by staff and relevant to their employment with the University. These tools and mechanisms may include, but are not limited to the:

- a. [Conflict of Interest Policy](#), procedure and declarations;
- b. outside work declarations;
- c. disclosure of reportable gifts or benefits;
- d. research integrity, ethics and grant establishment policies and processes; and
- e. international partnerships framework and processes.

(9) Staff are required to complete and update these disclosures in accordance with University policy. Staff transparency and disclosure requirements are consistent with the values articulated in the [Staff Code of Conduct](#). The University expects that all staff will complete these disclosures when required and in an honest, transparent, timely and accurate manner, disclosing all information that is relevant.

(10) In addition to these disclosures there are a number of requirements that staff need to adhere to when they secure external contracts or funding arrangements for education, research and engagement activities. The University expects that the disclosure requirements of external contractual arrangements will also be fulfilled by staff in a transparent, timely and accurate manner when and as required.

### University and Entity Registers and Databases

(11) The University maintains a number of information systems, registers and databases across education, research,

procurement, international arrangements, philanthropic gifts and donations that support our compliance with legislative, accreditation and regulatory requirements.

(12) In collecting information for these registers and databases, the University relies on accuracy, currency, transparency, and the disclosure of all relevant data to capture information about the ways in which we operate, with whom, and the relevant arrangements.

## **Foreign Influence and Foreign Interference**

(13) The University is committed to undertaking education and research that delivers innovation and drives global and regional impact. Global partnerships and relationships are valued and important in supporting our education and research impact, and the University is steadfastly supportive of productive, transparent engagement with foreign partners to the benefit of global education, research and engagement outcomes.

(14) In undertaking our education and research operations, the University is required by the Australian Government to comply with legislation related to national security, foreign influence and foreign interference, including:

- a. [Australia's Foreign Relations \(State and Territory Arrangements\) Act 2020](#);
- b. the [Foreign Influence Transparency Scheme Act 2018](#);
- c. the [Defence Trade Controls Act 2012](#); and
- d. the [Autonomous Sanctions Act 2011](#).

(15) Individual staff disclosure tools and mechanisms in combination with institutional information systems, registers and databases in place at the University play an important role in supporting our ongoing compliance with legislation and regulation, relevant to foreign influence and foreign interference.

(16) The responsibility for compliance with foreign influence, foreign interference and national security legislation lies with individual staff, and the University requires staff to complete disclosures related to foreign entities, arrangements and agreements in a honest, transparent, timely and accurate manner. The accountability for reporting the University's compliance with the relevant legislation lies with both the General Counsel and the Deputy Vice-Chancellor (Research and Innovation).

## **University Foreign Interference Taskforce Guidelines**

(17) The [Guidelines to Counter Foreign Interference in the Australian university sector](#) were developed by the Australian University Sector Foreign Interference Taskforce. The guidelines are intended to protect the university sector against foreign interference through supporting an environment of trust and guiding decision making, based on potential risks, so Australian universities can continue to produce world-class research. The overarching principles guiding the taskforce were:

- a. security must safeguard academic freedom, values and research collaboration;
- b. research, collaboration and education activities must be mindful of the national interest;
- c. security is a collective responsibility with individual accountability;
- d. security should be proportionate to organisational risk; and
- e. the safety of our university community is paramount.

## **Due Diligence**

(18) In collecting information, the University undertakes appropriate due diligence on the data provided as part of the disclosure processes to ensure that policies are being adhered to, and compliance with regulatory, legislative and accreditation requirements is being achieved.

(19) Division and College leaders are responsible for undertaking due diligence in relation to disclosures made from their respective areas.

(20) There are also a number of due diligence mechanisms in place across our information systems, registers and databases to support our ongoing compliance with relevant legislative, regulatory and accreditation requirements.

## Status and Details

Status	Current
Effective Date	20th October 2021
Review Date	20th October 2024
Approval Authority	Vice-Chancellor
Approval Date	23rd August 2021
Expiry Date	Not Applicable
Responsible Executive	David Toll Chief Operating Officer
Enquiries Contact	Fiona Mundie National Security Compliance Manager <hr/> Legal and Compliance

## 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.

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

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

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

**"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.

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

**"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"** - 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.