

GUIDANCE NOTE: IDENTIFYING CONFLICTS OF INTEREST

This document is related to the Conflict of Interest Policy, and its associated procedure, and is designed to assist with identifying conflicts of interests. Generally, if at least one guiding question in each of the four elements is answered as “Yes”, a conflict of interest may be perceived to, or actually, exist and must be disclosed. Where any element of doubt might affect the outcome of using this guidance note, the matter should be disclosed.

(Source: Conflict of Interest – Managing Conflicts of Interest in the NSW Public Sector, April 2019 – ICAC)

Element of Conflict of Interest	Guiding Questions
Personal Interest	Could there be benefits for me in the future that could cast doubt on my objectivity?
	Do I have a current or previous personal, professional or financial relationship or association of any significance with an interested party, regardless as to whether they are domestic or foreign?
	Do I have a close personal relationship, or am I currently, or have previously been in an intimate personal relationship, with a student of the University, regardless as to whether they are domestic or foreign?
	Could I or anyone associated with me benefit from or be detrimentally affected by my proposed decision or action?
	Do I hold any personal or professional views or biases that may lead others to reasonably conclude that I am may not deal with the matter objectively?
	Have I contributed in a private capacity in any way to the matter that the University is dealing with?
	Have I made any promises or commitments in relation to the matter?
	Am I a member of an association, club or professional organisation (domestic or foreign) or do I have particular ties and affiliations with organisations or individuals (domestic of foreign) who stand to gain or lose by any decision or action that I may take or influence?
	Could this situation have an influence on any future employment opportunities outside my current official duties?
	Could there be any other benefits (excluding those remote or insignificant) to me, or factors that could cast doubts on my objectivity?
Public Duty	Is my involvement in the matter part of my role or responsibility with University of Newcastle, or my public duty as an official?
	Could it be perceived that my personal interests may in some way have an adverse effect on any other activities or influences I have or

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	am involved in at the University of Newcastle?
Connection Between Personal interest and Public Duty	Have I received a benefit or hospitality from someone who stands to gain or lose from my proposed decision or action, regardless of any likely benefit to the University?
	Would my reputation or that of a relative, friend or associate stand to be enhanced or damaged because of the proposed decision or action?
	Do I or a relative, friend or associate of mine stand to gain or lose financially in some covert or unexpected way, regardless of any gains by the University?
	Could it be perceived that my personal interests may in some way have an adverse effect on the way I perform my public duties?
	Could I be seen to engage in favouritism or biased conduct when dealing with this matter?
Reasonable Person Test	Would a hypothetical, fair-minded and informed observer (i.e. a reasonable person) perceive that a conflict of interest may exist?
	Is there any element of doubt as to whether the above question may be answered differently?