

Murrayville Community College Conflict of Interest Policy

Rationale

A conflict of interest is defined as a circumstance where the duties and responsibilities of a person towards the school overlap with their private interests. This results in a situation where the person may be tempted to make decisions for reasons other than the best interests of the school.

Aim

To ensure that people act in the interest of the school by not bringing personal or financial interests to the table; to provide a mechanism that allows for interest to be declared so as to maintain appropriate accountability.

Implementation

There are three specific types of conflict of interest:

1. Actual conflict – a real conflict exists between the person's private interests and the interests of the school.
2. Potential conflict – a person's private interests do not currently conflict with those of the school, but could potentially conflict in the future.
3. Perceived conflict – a third party could reasonably believe a conflict exists.

For the remainder of this policy document these three categories of conflict will all be considered equivalent. No special treatment will be accorded one type of conflict above another.

Private interests can be divided into two categories:

1. Pecuniary interests exist where there is financial gain or loss involved, even if money does not specifically change hands. This would include an ongoing financial relationship such as being a paid employee of the school or leasing property to the school.
2. Non-pecuniary interests exist when no financial component exists but an interest exists due to relationships, social or cultural ties or involvement in an outside organisation.

The list of identified conflicts of interest is to be reviewed and endorsed at the first school council meeting of the year, and be added to and amended as conflicts become apparent.

When a conflict is identified, there are a number of actions that can be taken to address the conflict depending on the severity of the conflict. These are:

1. Register – The person officially informs the school of the existence of a conflict.
2. Restrict – The person is restricted in their participation in a discussion or decision making process pertaining to a particular subject where a conflict exists.
3. Recruit – A disinterested third party is appointed to oversee part or all of a process where a conflict exists (this method is usually employed where multiple people are conflicted on a matter).
4. Remove – The person does not participate in any way in a matter where a conflict exists.
5. Relinquish – The private interest creating the conflict is relinquished by the person, thus eliminating the conflict.
6. Resign – The person resigns from the position where a conflict exists.

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Specific Guidelines

The overriding responsibility of people is to put the interests of the school above all other interests. Individuals will exercise this responsibility by putting aside deliberations and decisions, and any other interest they may hold, whether it be as a member of another organization or as an individual.

Where people are members of a group served by the school they will not act in any way to advance their individual interest. People in the school community have a responsibility to act in a way which serves the general interests of those served by the school, including the parents and students who represent the 'moral ownership' or the community served by the school.

This policy is written in general terms to encompass the entire school community in a broad context. Employees of the Department of Education and Early Childhood Development are governed by the Departmental Conflict of Interest Guidelines. This policy should be read in conjunction with this documentation, located at the following address
<http://www.education.vic.gov.au/hrweb/workm/Pages/Conflict-of-Interest.aspx>

Evaluation

When First Approved : 15th September 2014

Scheduled for Review : February 2022