



Conflict of Interest Policy

1. Purpose and Scope

This Policy provides the framework for the effective identification, disclosure, and management of any actual, potential or perceived conflicts of interest in order to protect the integrity of KOI and manage risk.

This Policy applies to all Directors, Independent Members of Committees, academic and professional staff at KOI, contract personnel, independent contractors, volunteers and any other persons who are involved in any aspect of KOI's activities (collectively referred to as "KOI Persons"). This Policy also applies to students with regards to close personal relationships that may arise with KOI Persons and their obligations to comply with the Student Code of Conduct.

This Policy should be read in conjunction with the related Conflict of Interest Procedures.

2. Related Documents

This Policy is to be read in conjunction with KOI's:

- Conflict of Interest Procedures
- Conflict of Interest Guidelines
- Additional Work Policy
- Privacy Policy
- Staff Code of Conduct
- Staff Handbook
- Student Code of Conduct
- Whistleblower Policy
- Fairness and Equal Opportunity Policy

3. Definitions

<i>Conflict of Interest</i>	A conflict of interest refers to actual, potential or perceived circumstances in which a KOI Person's or student's personal interest conflicts with or could be considered to conflict with their obligations to KOI, and where the interests of KOI are actually, potentially, or perceived to be compromised.
<i>Actual Conflict of Interest</i>	A direct or real conflict between a KOI Person's existing duties and responsibilities or a student's obligations to KOI and their respective personal interests.
<i>Potential Conflict of Interest</i>	A conflict that is foreseeable from the circumstances arising at the time, but has not yet become an actual conflict of interest.
<i>Perceived Conflict of Interest</i>	A conflict where the circumstances indicate to a reasonable person that improper influence could exist in a KOI Person or student meeting their obligations to KOI or that could lead to circumstances where improper influence could be implied.
<i>Conflict of Commitment (or dual interests)</i>	A conflict may arise where a KOI Person or student has other commercial, public or volunteer commitments which are incompatible with or could compromise the interests of KOI.
<i>KOI Person</i>	For the purposes of this policy, a KOI Person includes all Directors and Council Members, Independent Members of Committees (including the Academic Board and Audit & Risk Committee), Employees of KOI (both Permanent and Casual), Third Party Personnel undertaking activities on



behalf of KOI, Volunteers and Any Other Persons involved with the commercial activities of KOI.

<i>Student</i>	A person currently registered as a student of KOI.
<i>Personal Interest</i>	Personal interest involves activities conducted by a KOI Person or student that give rise to potential gain or loss (financial or non-financial) for themselves or for any other person or organisation that they may wish, knowingly or unknowingly, to benefit or disadvantage.
<i>Close Personal Relationship</i>	A relationship between a KOI Person and an associate (including a relative, a financially dependent person, a close friend, a de facto partner or any person with whom the KOI Person is currently, or has been, an intimate relationship). This does not include a working relationship which exists due to ordinary collegiate academic collaboration where the colleagues are not relatives, financially dependent, or de facto or intimate partners.
<i>Financial Interest</i>	Any right, claim, title or legal share in something having a monetary or equivalent value.
<i>Additional Work</i>	Additional work undertaken by a KOI Person within or outside KOI that it is conducted in addition to their normal work responsibilities within KOI. The additional work must not result in any conflict of interest or have any negative impact on the KOI Person's ability to fulfil the functions of their substantive position.
<i>Associate</i>	An associate may be: • a spouse, sibling, parent, child or other family member or person normally resident in a KOI Person's or student's household; • an entity of which a KOI Person or KOI Person's nominee is a shareholder, member, officer or employee; • a business partner; • an employer; • any other person or entity who could be advantaged (directly or indirectly) by the improper use of the KOI Person's or student's position within KOI or from information acquired from KOI in meeting their obligations to KOI.
<i>Management Plan</i>	Approved and documented procedures implemented to manage a conflict of interest.
<i>Independent Arbiter</i>	The Independent Arbiter is a person or persons designated by the Council to perform confidential reviews of disclosed or suspected actual, potential or perceived conflicts of interest. This person or persons should be external and independent to KOI where they should not have been KOI staff previously, permanent or casual and not have provided consulting services with a financial benefit.
<i>Conflict of Interest Disclosures Register</i>	The Conflict of Interest Disclosures Register records all disclosed conflicts of interest together with a summary of the actions taken.

4. Policy

KOI is committed to ethical practices and standards, and building a workplace that is free from fraud or corruption or the perception of fraud or corruption. This includes acknowledging responsibility for decisions and actions, as individuals and as part of KOI, exercising authority responsibly and acting with transparency, integrity and professionalism.



This Policy has been developed due to the potential of conflicts arising, but may not present a problem to KOI Persons, students or KOI if they are openly and effectively managed. It is important that all KOI Persons and students share a responsibility for strengthening this commitment to identify, disclose and manage conflicts of interest appropriately.

KOI recognises the importance of detailing the process by which conflicts of interest are identified, disclosed and managed appropriately. The process includes the following key steps for effective management of conflicts of interest:

1. Identification of conflict of Interest
2. Disclosure of conflict of interest
 - a. Obligation to disclose a conflict of interest
 - b. Disclosure of conflicts of interest
 - c. Initial assessment of the disclosure
3. Management of conflicts of interest
 - a. Determination on disclosed conflicts of interest
 - b. Appeal of determinations
 - c. Recording of disclosures and conflicts of interest

Identification of Conflict of Interest

All KOI Persons and students have a continuing responsibility for identifying and declaring any actual, potential or perceived conflicts of interest that applies to them, whether it involves a relationship with an associate or some other circumstance.

An actual, potential or perceived conflict of interest may be considered to exist as a result of personal interests, financial interests or relationships with associates.

It is likely that, on occasions, circumstances will arise where there is uncertainty whether a conflict of interest exists, such as undertaking professional activities with other organisations in the higher education sector which are not otherwise prohibited by KOI's policies or contracts. While it is not KOI's intention to limit the activities of KOI Persons who may be involved in circumstances where uncertainty exists, it is necessary that KOI is given the opportunity to understand and assess the circumstances and whether a conflict of interest exists or a management plan is required. As such, it is important that the disclosure requirements set out in this policy are followed so that there is a clear understanding of both KOI and KOI Persons of the circumstances that exist.

Disclosure of Conflict of Interest

It is incumbent on all KOI Persons and students to disclose all actual, potential or perceived conflicts of interest where there is a reasonable expectation that a conflict of interest exists or is suspected to exist. KOI Persons and students are required to disclose a potential conflict of interest where they are uncertain of the existence of an actual, potential or perceived conflict of interest.

Conflicts of interest should be disclosed by the person directly affected by the conflict of interest.

Conflicts of interest should be disclosed to the following for an initial assessment of whether a conflict of interest exists:

- For staff members, disclosure should be made to their supervisor or line manager, and subsequently to the HR Manager;
- For students, to Student Support Services;
- For members of committees, panels or boards to the Chair of that committee, panel or board, and subsequently to the Director Governance, Risk and Compliance.

All members of the Council, Boards and Committees must formally disclose any new actual, potential or perceived conflicts of interest at the commencement of each meeting. The Chair of the meeting, in conjunction with the remaining members of the respective Council/Board/Committee, shall determine the appropriate response to any disclosed conflicts of interest in managing the upcoming meeting.



Management of Conflict of Interest

All conflicts of interest are to be managed in the best interests of KOI.

An initial assessment of the conflict of interest shall be conducted at the time of disclosure by the person to whom the conflict has been reported who will determine whether a conflict of interest exists, and, if so, whether the conflict of interest can be accepted or a management plan is required.

Where a student is involved in an actual, potential or perceived conflict of interest, the matter will be managed by Student Support Services for the initial phase. If the conflict of interest is not acceptable, the matter will be referred to the relevant executive manager to develop an appropriate conflict of interest management plan.

Conflict of interest management plans shall be developed where the conflict of interest is not acceptable and will establish criteria and procedures to restrict the impact of and monitor the conflict of interest. KOI Persons and students are required to comply with a management plan. The management plan should recognise circumstances where a conflict of interest may be temporary.

Where conflicts of interest cannot be managed internally, these may be referred by Council to the Independent Arbiter together with a proposed management plan for determination by the Independent Arbiter whether the management plan is appropriate.

If removal or relinquishment of the conflict of interest is required, the related actions should be completed as soon as possible after the conflict of interest is identified.

Conflict of interest disclosure and management forms will be signed off by Human Resources and CEO and President and reported to the Audit & Risk Committee.

Training and Education

Upon implementation of this policy, all KOI Persons will receive training on the requirements of this policy and demonstrate an adequate knowledge of the principles involved in identifying, reporting and managing conflicts of interest.

New KOI Persons will be required to undergo training as part of their induction into KOI and demonstrate an adequate knowledge of the principles involved in identifying, reporting and managing conflicts of interest.

Students will be briefed as part of induction procedures.

Declaration of Compliance with Policy

KOI Persons will be required to:

- complete an annual declaration stating that they have disclosed all known actual, potential or perceived conflicts of interest
- on a random basis, and at least once every 3 years, complete a questionnaire to demonstrate that their continuing knowledge of this policy is adequate. Failure to demonstrate adequate knowledge will necessitate the KOI Person undertaking repeat training on the requirements of this policy and demonstrate an adequate knowledge of the principles involved in identifying, reporting and managing conflicts of interest.

Students will not be required to confirm compliance unless specifically requested to do so. A declaration of compliance will only be requested if there are reasonable grounds to believe that a conflict of interest exists.

Reporting and Oversight

A Conflict of Interest Disclosures Register will be maintained that records the nature of the actual, potential, or perceived conflict, together with steps taken to manage the conflict, including actions taken to eliminate the conflict.

New Conflict of Interest Disclosures submitted to both the Human Resources Manager and the Independent Arbiter will be recorded and reported directly to the Audit & Risk Committee. High risk disclosures (including any disclosures involving Directors and/or Independent Members of Advisory Committees) must be reported



immediately to the Chair of the Audit & Risk Committee, with remaining disclosures submitted to regular Audit & Risk Committee meetings. High risk disclosures will be referred to the Council and CEO and President for information and action on any recommendations.

Breaches of Policy

Conflicts of interest are not in themselves unethical or contrary to this policy. However, if a KOI Person fails to identify (or, where required, manage) any actual, perceived, or potential conflict of interest where there is a reasonable expectation that a conflict of interest exists, this may result in disciplinary action or, depending on the seriousness of the circumstances, termination of employment or contract.

In the event that the proposed remedy is termination of employment or contract and/or taking legal action, the CEO and President will determine the appropriate remedy in consultation with the Chair of the Council, the Chair of the Audit & Risk Committee and the Human Resources Manager.

If a conflict of interest breach of policy involves a student, the CEO will determine the appropriate remedy in consultation with the Chair of the Academic Board and Vice-President Student Affairs.

Obligations of KOI Persons and Students

KOI Persons and students must act with integrity and demonstrate ethical behaviour in accordance with our Staff Code of Conduct, Student Code of Conduct and KOI's other policies and procedures when faced with the potential of a clash between a KOI Person's private interests and KOI's interests and where this may raise ethical or legal issues.

KOI Persons and students must be transparent about any actual, potential or perceived conflicts of interest ensuring that they:

- are fully aware of the obligations contained in this policy
- have a clear understanding of the circumstances that give rise to a conflict of interest;
- understand their obligation to report actual, potential or perceived conflicts of interest, including those where uncertainty exists;
- appreciate the need for them to protect the interests of KOI as part of their ongoing obligations;
- understand that compliance with the Conflict of Interest Policy and its related procedures and guidelines assists in meeting their obligations under employment and student registration contracts.

Ignorance of this policy and the related procedures and guidelines is not an excuse for not reporting a conflict of interest.

5. Responsibilities

The reporting and management of conflicts of interest are the responsibility of all KOI Persons and, where relevant, students. The following have responsibility for administering this Policy:

- The CEO and President has overall responsibility to ensure that the necessary resources, systems and processes are in place to enable this policy to be implemented.
- The Human Resources Manager has operational responsibility for the implementation of this policy, ensuring that the procedures are followed and ongoing monitoring of compliance with management plans is maintained.
- The Human Resources Manager (for staff), Director Governance, Risk and Compliance (for governance committees) and Student Support Services (for students) have responsibility for maintaining the respective Conflict of Interest Disclosures Registers and approval of management plans.
- The Audit & Risk Committee has oversight over the status of Conflict of Interest Disclosures, status of management plans, and monitoring of breaches with this policy.
- The Council has responsibility for ensuring that significant risks arising from conflicts of interest are managed appropriately and that serious conflicts of interest and breaches of the policy are managed in a fair and equitable manner.



KOI Persons and students must also be aware of and familiar with the various policies, guidelines and codes of conduct referred to in this policy which are relevant to conflicts of interest.

Document control

Policy title	Conflict of Interest Policy
Policy owner	CEO and President
Policy version date	21 November 2023 Version 1.0
Policy approver	Council on the recommendation of the Audit & Risk Committee
Date of approval	24 November 2023
Date of implementation	1 January 2024
Date of next review	1 January 2026
Changes in this version	New policy

KOI amends its policies periodically and printed copies of this document, either in part or whole, are considered as uncontrolled and should not be relied upon as the most current document. It is the responsibility of individuals printing the document to always refer to the KOI website for the current version.

*****END OF POLICY*****