



Conflict of Interest Policy

Purpose

The purpose of this policy is to ensure that any actual, perceived or potential Conflicts of Interest arising in Melbourne Archdiocese Catholic Schools Ltd (MACS) and its subsidiary Melbourne Archdiocese Catholic Specialist Schools Ltd (MACSS), are effectively identified, disclosed and managed.

Scope

This policy applies to:

- All MACS Staff, including Staff in specialist schools operated by Melbourne Archdiocese Catholic Specialist Schools Ltd (MACSS) and school boarding premises operated by MACS schools
- School Advisory Council members and Volunteers (together, “**Staff**”).

Principles

The following principles underpin this policy:

- conflicts of interest can arise for Staff and do not of themselves need to present a problem if they are effectively and openly managed
- MACS is committed to ensuring that all Conflicts of Interest are identified, managed and monitored appropriately and
- staff have shared responsibility to identify, disclose and manage Conflicts of Interest.

Policy

1. All Staff should seek to avoid Conflicts of Interest where possible in carrying out their duties for MACS.
2. Upon commencement of their duties for MACS, all Staff must disclose all actual, perceived or potential Conflicts of Interest. Subsequently:
 - 2.1. all Board Directors, Board Committee members, MACS Executives and school-based Responsible Persons must update this disclosure annually, and when any actual, perceived or potential Conflict of Interest arises and
 - 2.2. all other Staff must update this disclosure when any actual, perceived or potential Conflict of Interest arises.
3. Conflicts of Interest will be assessed and then managed using the processes set out in the Conflict of Interest Procedures and strategies that ensure decisions by Staff members are always made in the best interests of MACS. These strategies are to be documented in a Conflict of Interest Management Plan, which is subject to regular review.
4. Registers of identified conflicts and the strategies to manage these must be maintained. Responsibility for these registers is outlined in the Roles and Reporting Responsibilities table below.
5. If any person suspects that any Staff member has failed to disclose a Conflict of Interest, they must provide notification of this, in writing, as soon as practicable, as outlined in the relevant Conflict of Interest Procedure.

Roles and reporting responsibilities

| Role | Responsibility | Reporting requirement |
|---|--|---|
| Responsible Persons | Each Responsible Person must complete a Conflict of Interest disclosure statement upon commencement, annually, and when an actual, perceived, or potential Conflict of Interest arises | To be included in the Register of Interests |
| Non-director Board Committee members | Must complete a Conflict of Interest disclosure statement upon appointment, annually and when an actual, perceived or potential Conflict of Interest arises | To be included in the Register of Interests |
| MACS Staff (other than Responsible Persons) | All Staff must complete a Conflict of Interest disclosure statement upon commencement, and when an actual, perceived, or potential Conflict of Interest arises | To be included in the Register of Interests |
| Company Secretary | Maintain a Register of Interests for MACS board directors, board committee members and MACS Executives | Register of Interests to be formally tabled at every MACS board and board committee meeting and ELT meeting |
| General Manager, People Experience | Maintain a Register of Interests for office-based MACS Staff | Register of Interests will be available on request to the Executive Director |
| General Manager, Employee Relations | Maintain a Register of Interests for principals and Responsible Persons in MACS schools | Register of Interests will be available on request to the Executive Director |
| Principal | Maintain a Register of Interests for school-based MACS Staff, including Responsible Persons | Executive Director may, with reasonable notice, request a copy of the Register of Interests |

Procedures

Procedures to implement this policy are documented separately in Conflict of Interest Procedures. See list of supporting documents under the “Related policies and documents” section below.

Definitions

Conflict of Interest

A conflict of interest arises where a person’s Personal Interests conflict with their responsibility to act in the best interests of MACS or a MACS school. A conflict of interest may be categorised as:

- an **actual conflict of interest** – this occurs when there is a real conflict between a MACS Personnel’s role at MACS and their private interests
- a **potential conflict of interest** – this occurs where a person’s private interests do not currently conflict with those of MACS, but it is foreseeable from the circumstances that they could potentially conflict in the future (for example, where a job applicant is related to a recruitment panel member, but the applications have not yet been processed) or
- a **perceived conflict of interest** – this occurs where a third party could reasonably believe a conflict exists (for example, where a MACS Staff member who has previously worked at a MACS school is required to assist or undertake an investigation into conduct at that school. In

this scenario, it may be perceived that this past involvement could affect their ability to impartially support the investigation).

Contractor

Those engaged on a short-term and/or regular basis for the provision of specific services for MACS or in a MACS school. This includes those engaged on a labour-hire arrangement, e.g., through an agency that provides casual staff. Contractors are typically engaged on a service agreement.

Consultant

A person engaged by MACS or a MACS school to provide professional or expert advice on a particular subject or matter for a fee. Consultants are typically engaged on a consultancy agreement.

Employee

In this policy unless specified, employee refers to a person employed by MACS on an ongoing or temporary employment contract or consultancy.

Melbourne Archdiocese Catholic Schools (MACS)

MACS is a reference to Melbourne Archdiocese Catholic Schools Ltd, and / or its subsidiary, MACSS.

MACS board or board

The board of Melbourne Archdiocese Catholic Schools Ltd (MACS), being also the board of MACSS and the board of MACSEYE in an ex officio capacity).

MACS Executive

A member of the executive leadership team (ELT) of MACS.

MACS Manager or Manager

Refers to a position within a MACS office, such as a general manager/manager of a business unit, regional general managers, directors, chief financial officer and chief information officer to whom Employees, Contractors and Consultants report. In a school, this would refer to the Principal.

MACS Staff or Staff member

As set out in the Scope, and in line with the MACS Code of Conduct, staff refers to all people who carry out work in any capacity for MACS or its subsidiaries, and includes Directors of the MACS Board, Committee members, employees, volunteers, consultants, contractors and School Advisory Council members.

MACS school or school

A school which operates with the consent of the Catholic Archbishop of Melbourne and is owned, operated and governed by MACS, directly or through MACSS. References to schools or MACS schools also includes boarding premises of schools operated by MACS and specialist schools operated by MACSS.

Melbourne Archdiocese Catholic Specialist Schools Ltd (MACSS)

Melbourne Archdiocese Catholic Specialist Schools Ltd, a wholly owned subsidiary of MACS established to conduct and operate specialist schools.

Personal Interests

Personal interests include direct interests as well as those of family, friends or other organisations a person may be involved with or have an interest in. It also includes a conflict between a person's duty to act in the best interests of MACS or a MACS school and another duty that the person has (for example, to another charity or any other entity).

Personal interests may be financial or non-financial, and can be identified as follows:

- **pecuniary interests** exist where there is financial gain or loss involved, even if money does not specifically change hands

- **non-pecuniary interests** exist when no financial component exists, but an interest exists where there are relationships, social or cultural ties or involvement in an outside or related organisation.

Principal

Individual appointed as principal by MACS in a MACS school.

Responsible Person

In accordance with the Responsible Persons Policy, MACS responsible persons are:

- the sole member of MACS, the Archbishop of the Archdiocese of Melbourne
- Board directors
- Executive Director and MACS Executives
- Company Secretary
- Principals, deputy principals and other persons, including business managers appointed by the principal, with responsibility in the school governance structure for managing a school or its finances
- any other person who by their conduct assumes a position of authority over the governance or management of a MACS school.

School Advisory Council (SAC)

Advisory body in a MACS school which expresses the educational partnership between parents, the school, parish, and wider community. The SAC provides a forum for discussion where parent voice and community perspective are available to provide advice and support decision-making within the school.

Volunteer

A person who performs work without remuneration or reward.

Related policies and documents

Supporting documents

Conflict of Interest Procedures – MACS Board, Board Committees, MACS Executives and School-based Responsible Persons

Conflict of Interest Procedures – Employees and Volunteers

Conflict of Interest Disclosure Statement and Review Form – Template

Register of Interests – Template

Related MACS policies and documents

Engaging Workers through Labour-Hire Providers Policy

Fraud Prevention Policy

Gifts and Entertainment Receipts and Expense Policy

Information and Records Management Policy - MACS office

Procurement and Contract Management Policy

Related Parties Policy

Responsible Persons Policy

Whistleblower Policy

Policy information

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| Responsible director | Director, Governance and Legal |
| Policy owner | General Manager, Legal – MACS Corporate |
| Approving authority | MACS Board |
| Assigned board committee | Child Safety and Risk Management |
| Approval date | 26 September 2024 |

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| Risk Rating | Extreme |
| Review by | September 2027 |
| Publication | MACS website, CEVN, school website |
| POLICY DATABASE INFORMATION | |
| Supporting documents | See list of supporting documents and related policies above |
| Superseded documents | Conflict of Interest Policy – Responsible Persons – v1.0 – 2021 Conflict of Interest Policy – Employees, Contractors and Consultants v1.0 – 2021 |
| New policy | |