

CONFLICT OF INTEREST POLICY AND PROCEDURE

Who is responsible	<p>The director/senior trainer and training coordinator/compliance officer is responsible for ensuring that this process is followed.</p> <p>All trainers and assessor and all staff are required to follow and adhere to the requirements.</p>																																		
When	Quality Assurance Schedule																																		
Policy	<p>Asbestos & You is committed to upholding the highest standards of integrity, transparency, and accountability. The purpose of this policy is to establish guidelines for identifying, managing, and mitigating conflicts of interest that may arise among third-party relationships.</p>																																		
Procedure	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Types of Conflict</th> <th style="width: 25%;">Role</th> <th style="width: 25%;">Position</th> <th style="width: 25%;">Interest</th> </tr> </thead> <tbody> <tr> <td>Actual</td> <td>Director, Shareholder or Key Personnel of RTO</td> <td>Is in a position to be influenced</td> <td>By their private interests when doing their job</td> </tr> <tr> <td colspan="4">Example: You are a director of an RTO and an Education Agent you will receive commission for recruitment for the same student enrolled into your RTO. Without a conflict-of-interest management plan, the RTO is unable to recruit in an objective way as it/or its related entity will receive a benefit of recruitment services as a result of the enrolment as well as the enrolment fee.</td> </tr> <tr> <td>Perceived</td> <td>Director, Shareholder or Key Personnel of RTO</td> <td>Is in a position to appear to be influenced</td> <td>By their spouse or family members' private interests when doing their job</td> </tr> <tr> <td colspan="4">Example: You are a Director of an RTO and your spouse owns an Education Agency. There is a perceived conflict of interest as the Education Agent could be expediting students so that the RTO could obtain a benefit through receipt of enrolment fee.</td> </tr> <tr> <td>Potential</td> <td>Director, Shareholder or Key Personnel of RTO</td> <td>Is in a position where they may be influenced in the future</td> <td>By their spouse or family members' private interests when doing their job</td> </tr> <tr> <td colspan="4">Example: You are the Director of an RTO and your family member owns an Education Agent. For all intents and purposes, the Education Agent and the RTO operate independently and separately to one another. The RTO does not currently deliver any qualifications in the Education Agents industry; however, is considering expanding its scope to include those industry qualifications. This is a potential conflict of interest, and a management plan must be in place to manage any perceived or actual conflict if it arises.</td> </tr> </tbody> </table> <p>Managing Conflict of Interest</p> <p>Conflicts of interest will be resolved or managed in a variety of ways, the choice of the strategy will depend on the nature of the conflict, the complexity of the situation and the subtleties and severity of the case. A conflict-of-interest management plan is to be implemented to mitigate risk within the organisation.</p> <p>Strategies to be adopted to manage conflicts of interest are detailed in the table below.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Register</td> <td>All conflicts of interest must be recorded in a register and kept by the RTO regardless of what additional management strategies are adopted.</td> </tr> <tr> <td>Restrict</td> <td>Restrictions should be placed on the individuals/ organisation's involvement in the matter.</td> </tr> </table>			Types of Conflict	Role	Position	Interest	Actual	Director, Shareholder or Key Personnel of RTO	Is in a position to be influenced	By their private interests when doing their job	Example: You are a director of an RTO and an Education Agent you will receive commission for recruitment for the same student enrolled into your RTO. Without a conflict-of-interest management plan, the RTO is unable to recruit in an objective way as it/or its related entity will receive a benefit of recruitment services as a result of the enrolment as well as the enrolment fee.				Perceived	Director, Shareholder or Key Personnel of RTO	Is in a position to appear to be influenced	By their spouse or family members' private interests when doing their job	Example: You are a Director of an RTO and your spouse owns an Education Agency. There is a perceived conflict of interest as the Education Agent could be expediting students so that the RTO could obtain a benefit through receipt of enrolment fee.				Potential	Director, Shareholder or Key Personnel of RTO	Is in a position where they may be influenced in the future	By their spouse or family members' private interests when doing their job	Example: You are the Director of an RTO and your family member owns an Education Agent. For all intents and purposes, the Education Agent and the RTO operate independently and separately to one another. The RTO does not currently deliver any qualifications in the Education Agents industry; however, is considering expanding its scope to include those industry qualifications. This is a potential conflict of interest, and a management plan must be in place to manage any perceived or actual conflict if it arises.				Register	All conflicts of interest must be recorded in a register and kept by the RTO regardless of what additional management strategies are adopted.	Restrict	Restrictions should be placed on the individuals/ organisation's involvement in the matter.
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	<p>This option can be adopted where the conflict can be separated from the activity or process.</p> <p>Strategies include:</p> <ul style="list-style-type: none"> • Refraining from taking part in any debate or decisions relating to the conflict. • Non-involvement in any critical criteria setting or decision-making role concerning the conflict. • Abstaining from voting on decision proposals relating to the conflict. • Withdrawing from discussions of affected proposals and plans regarding the conflict. • Having restricted access to information relating to the conflict of interest; and/or • Being denied access to sensitive documents or confidential information relating to the conflict of interest. <p>When you use any of the above strategies to separate yourself/the individual from the decision-making process, you need to ensure that all affected parties to the decision know what management strategy was implemented and why.</p>
Recruit	<p>A disinterested/independent party to oversee part or all of the relevant activities or processes involved in the matter.</p> <p>Strategies include:</p> <ul style="list-style-type: none"> • Arranging for the affected decision to be made by an independent party. • Engaging an independent party to oversee or review the integrity of the decision-making process. This strategy could be particularly beneficial where there is a perceived conflict of interest. • Increasing the number of individuals sitting on decision making committees to balance the influence.
Remove or Relinquish	<p>Removal strategies will be most appropriate for direct conflicts. This strategy aims to remove the persons involved from all duties related to the conflict of interest.</p> <p>Strategies include:</p> <ul style="list-style-type: none"> • Removing person/s from any involvement in the matter and abstaining from any formal or informal discussion about the matter. • Removing the person/s from the situation where they/you may still exert, or be perceived to exert, a covert influence on decisions or actions taken in the matter. • Re-arranging the person/s duties and responsibilities to a non-conflicting function. • Transferring the person/s to another area of the organisation. • Using the services of another organisation. This option should be used when the conflict of interest and its potential or perceived effects are of high risk or high significance.
Resign	<p>Resignation is the most extreme solution to a serious conflict of interest. It should be available for consideration if the conflict of interest cannot be resolved in any other way. Alternatively, the person/s may choose to resign as a matter of personal principle.</p> <p>Strategies include:</p> <ul style="list-style-type: none"> • Resignation of the person/s position within the organisation. • Ceasing operations between parties. This option should be used where the conflict of interest and its potential or perceived effects are of high risk or high significance, or when there are no other options to avoid or manage the conflict.

Implementation

This policy shall be communicated to all directors, employees, and stakeholders. It shall be readily accessible, and all relevant parties shall be informed of their responsibilities, obligations, and the procedures to follow in case of a conflict of interest.

Regular training and education programs shall be conducted to enhance awareness and understanding of conflicts of interest. These programs will educate directors, employees, and other relevant stakeholders about the policy, its implications, and the steps to manage conflicts effectively.