



**Mining and  
Automotive**  
Skills Alliance

# Conflict of Interest Policy

Version 2.0

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## 1. Purpose

The purpose of this policy is to help the Mining and Automotive Skills Alliance (AUSMASA) board members, advisory committee members, sub-committee members, employees, contractors, subcontractors, and any other party engaged with AUSMASA to effectively identify, disclose, and manage any actual, potential, or perceived conflicts of interest to protect the integrity of AUSMASA and manage risk.

The AUSMASA board (the board) is responsible for exercising oversight of and ensuring no actual, potential, or perceived conflicts of interest exist.

This policy aims to ensure that the board members, advisory committee members, sub-committee members, employees, contractors, subcontractors, and any other party engaged are aware of their obligation to act with openness and transparency and to disclose any actual, potential, or perceived conflicts of interest that they may have.

Board members, advisory committee members, sub-committee members, employees, contractors, subcontractors, and any other party engaged with AUSMASA will comply with this policy to ensure they effectively manage those conflicts of interest as representatives of AUSMASA.

## 2. Audience

This policy applies to AUSMASA's:

- Board
- Advisory Committees or Panels
- Committees and sub-committees
- Chief Executive Officer (CEO)
- Employees
- Contractors and sub contractors
- and any other party engaged with AUSMASA

## 3. Policy

This policy has been developed to address conflicts of interest affecting AUSMASA and supports compliance objectives of the Job and Skills Council Code of Conduct.

Potential conflicts of interest are common. Adhering to this policy makes it possible for AUSMASA to effectively mitigate any potential conflicts and minimise unintended implications.

It is the responsibility of the board members, advisory committee members, sub-committee members, employees, contractors, subcontractors, and any other party engaged with AUSMASA, to avoid ethical, legal, financial, or other conflicts of interest. If potential conflicts do arise, persons are responsible for ensuring that they do not conflict with their obligations to AUSMASA.

The board will manage conflicts of interest by requiring all persons to:

- behave in an open and transparent manner that balances the interests and needs of learners with other stakeholders.
- avoid conflicts of interest where possible

- identify and disclose any actual, potential, or perceived conflicts of interest, including assessment of suppliers through procurement practices (refer to Mining and Automotive Skills Alliance [Procurement and Resource Management Policy](#))
- carefully mitigate any conflicts of interest
- follow this policy and respond to any occurrences.

### 3.1. Identification and disclosure of conflicts of interest

Once an actual, potential, or perceived conflict of interest is identified, it must be entered into AUSMASA'S Register of Interests, as well as being reviewed by the board.

The Register of Interests will be maintained by the AUSMASA executive. The register must record information related to a conflict of interest (including the nature and extent of the conflict of interest and any steps taken to address it).

### 3.2. Confidentiality of disclosures

Access to the information disclosed will be available to the board, the Department of Employment and Workplace Relations (DEWR), the AUSMASA executive, and the chair of any relevant advisory committee or panels or sub-committees where the conflict relates to a contractor or subcontractor.

As a continuing obligation, AUSMASA will disclose the conflict of interest in a prompt manner, including associated details and the steps taken to mitigate the conflict to DEWR as required.

### 3.3. Managing conflicts of interest

#### **DECLARED CONFLICTS OF INTEREST - WHAT SHOULD BE CONSIDERED WHEN DECIDING WHAT ACTION TO TAKE**

In deciding what approach to take, the board will consider the following:

- whether the conflict needs to be avoided or mitigating actions identified
- whether the conflict will impair the person's capacity to participate in decision-making impartially
- alternative options to mitigate the conflict
- whether a declared conflict will impair confidence in, or the reputation of, AUSMASA.

#### **CONFLICTS OF INTEREST OF THE BOARD, ADVISORY COMMITTEES, PANELS OR SUB-COMMITTEES**

Once the conflict of interest has been appropriately disclosed, the chair of the relevant board, advisory committee, panels or sub-committee (excluding the person who has made the disclosure, as well as any other conflicted person) must decide whether or not those that are conflicted should:

- Vote on the matter (this is a minimum)
- Participate in any debate, or
- Be present in the room during the debate and the voting.

In exceptional circumstances, such as where a conflict is very significant or likely to prevent a person from regularly participating in discussions, it may be necessary for the relevant board, advisory

committee, panel, or sub-committee to consider if it is appropriate for the person conflicted to resign from the relevant board, advisory committee or sub-committee.

Where the conflict of interest has arisen from a board, advisory committee, and sub-committee, the approval of any mitigating action requires the agreement of a majority of the board, advisory committee or sub-committee (excluding any conflicted person/s) who are present and voting at the meeting/s.

The mitigating action and result of the voting will be recorded in the minutes of the meeting and in the Register of Interests.

Where the conflict of interest has arisen from an employee, contractor, subcontractor or any other party engaged with AUSMASA, the CEO will decide on the mitigating action to be taken. Details of these occurrences will be provided to the board as part of the regular board meeting or earlier as determined by the CEO.

If it is determined that a declared conflict of interest may present a serious risk to the integrity of AUSMASA, or to the decisions or actions of AUSMASA, then a notice will be provided to DEWR immediately, along with the details of steps taken to mitigate, manage, and remove the conflict.

#### **4. Ethical Duties**

The AUSMASA board has the responsibility for ensuring the ethical behaviour of advisory committee members, panel member, sub-committee members, employees, contractors, subcontractors, and any other party engaged with AUSMASA. The board can demonstrate this by leading by example and acting in accordance with this policy.

Persons will comply with the ethical obligations and duties outlined in the AUSMASA Code of Conduct, which includes the following:

- act ethically and responsibly that promotes the values of AUSMASA
- act honestly, in good faith and in the best interests of AUSMASA
- act with care and diligence and in a manner that does not undermine industry trust
- comply with obligations of confidentiality and policies as set out by AUSMASA
- reflect on other stakeholder views and jurisdictional perspectives to reach a balanced view
- will not misuse their position or any information gained from their position to gain advantage for themselves, or someone related to them or cause detriment to AUSMASA or other industry stakeholders.

#### **5. Compliance with this policy**

If the board has a reason to believe that a person subject to this policy has failed to comply with it, it will investigate the circumstances.

If it is found that this person has failed to disclose a conflict of interest, the board may take action against them. This may include seeking to terminate their relationship with AUSMASA.

If a person suspects that a board member, advisory committee member, panel member, sub-committee member, employee, contractor, subcontractor, and any other party engaged with AUSMASA has failed to disclose a conflict of interest, they must be able to confidentially raise a concern in the first instance to a direct reporting line or an appropriate AUSMASA person.

## 6. Definitions

A **CONFLICT OF INTEREST** occurs when a person's personal interests' conflict with their responsibility to act in the best interests of AUSMASA.

**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 (for example, as a company member).

It also includes a conflict between a person's duty to AUSMASA and another duty that a person has. For example, where a person holds a position in an organisation that has the capacity to affect AUSMASA's financial or non-financial standing significantly. A conflict of interest may be actual, potential, or perceived and may be financial or non-financial.

Such situations present a risk that a person will make a decision based on these influences rather than act in the best interests of AUSMASA.

## 7. Document History and Contact Details

### Version

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### Revision History

Revision date	Summary of amendments	Prepared by	Version
25 May 2023	Branding updated. Ethical considerations added and additional content added to further align with DEWR Governance documents.	General Manager Operations	2.0

### Contact details

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