Conflict of Interest Policy

Policy Number: POL-GOV-05-V05

Effective Date: October 2026

TYPE	Grant Required Policies
GOVERNANCE REQUIREMENT	To comply with and manage a Grant required policy
PURPOSE	**This policy establishes how Public Skills Australia will:** Manage and resolve conflicts of Interest.
AUDIENCE	Public Skills Australia employees, company members, board directors, company office holders, sub-contractors, governance group members, working group members, technical advisory committee members.
APPROVER	Board
EXECUTIVE SPONSOR	Company Secretary
POLICY OWNER	OES, Governance
REVIEW CYCLE	Within five years, or as requested (if sooner)
POLICY PRINCIPLES	• Identifying, declaring/reporting, and managing conflicts of interest when they arise • Educating and providing guidance for company office holders, employees, Board directors, advisory committee members, subcommittee and network members, contractors, subcontractors and agents, on their obligations relating to conflicts of interest at Public Skills Australia.
INTERACTING DOCUMENTS	*This policy should be read in conjunction with:* Stage 2 Grant Agreement in Relation to the Jobs and Skills Councils – Strengthening Australia's National Vocational Education and Training System Program Jobs and Skills Councils Code of Conduct Jobs and Skills Councils Integrity Framework Jobs and Skills Councils Program Guidelines ACNC Act 2012 and Corporations Act 2001 (Cth). Public Skills Australia Company Constitution Training Package Organising Framework.

Conflict of Interest

1. Conflicts of Interest may be held by an individual, group or organisation. Conflicts can include private or personal interests which could improperly influence or contradict the duties and responsibilities of individuals, groups or organisations to act in the best interests of Public Skills Australia, or the Jobs and Skills Grant Agreement. Conflicts of interest may be actual, potential or perceived, and may be financial or non-financial in nature.
2. Financial conflicts of interest must be declared and recorded as gifts, benefits and hospitality. Gifts over the value of $100[1] must be declared.
3. Conflicts of Interest may include (but are not limited to):
    a) individual, group or organisation engagement in a:
        i) Registered Training Organisation (RTO)[2]
        ii) Group Training Organisation (GTO)[3]
        iii) Employment Services Provider (ESP) with an active caseload[4]
        iv) Australian Apprenticeship Support Network (AASN) provider[5]
    b) an individual holds an officer position in any other organisations which could benefit from or have an interest in any matter relating to the Jobs and Skills Council[6]
    c) an individual holds shares or membership in other organisations that could benefit from any or have an interest in any matter before the Jobs and Skills Council[7]
    d) an individual engages in employment or contracting, consulting or advisory work outside of the Jobs and Skills Council with an organisation who could benefit from any matter before the Jobs and Skills Council[8]

[1] Financial threshold established to align with practice guidance provided by Australian Public Sector Commissioner Guidance.
[2] Taken from JSC Code of Conduct clause 5.5
[3] Taken from JSC Code of Conduct clause 5.5
[4] Taken from JSC Code of Conduct clause 5.5
[5] Taken from JSC Code of Conduct clause 5.5
[6] Taken from JSC Code of Conduct clause 5.6
[7] Taken from JSC Code of Conduct clause 5.6
[8] Taken from JSC Code of Conduct clause 5.6

e) an individual has family or close friends and professional associates who could benefit from any matter before the Jobs and Skills Council[9]

f) an individual could make a personal financial gain from any matter before the Jobs and Skills Council. This would include, without limitation, by way of any direct payments or any contracts awarded by a Jobs and Skills Council[10]

4. All individuals, groups or organisations covered by this policy are expected to act in accordance with the company values by acting diligently, being trustworthy and working purposefully towards ensuring that real and/or perceived conflicts of interest do not compromise the progression or conduct of Public Skills Australia's work.

5. In accordance with this policy, all individuals, groups or organisations covered under this policy must avoid conflicts where possible and take steps to identify, declare and manage identified conflicts.

Process

The process of declaring conflicts of interest is also depicted at Appendix A.

6. Individuals, groups or organisations are expected to follow the following process to identify, declare and manage conflicts of interest:
   a) **Identify**: Individuals should regularly consider their private interests and professional duties and responsibilities with Public Skills Australia. In particular, the impact of relationships.
   b) **Declare:** Should a conflict of interest be identified, it must be declared and managed. Declarations should be provided to the relevant executive member, manager or governance body.
      i) Board Directors, Governance Group Members, Networks, Technical Committees and Working Groups members must declare conflicts at commencement of the committee meeting and mitigations should then be agreed to in the Conflict of Interest Register and recorded in the meeting minutes.
      ii) Contractors, subcontractors and agents must declare conflicts of interest during the procurement process.

[9] Taken from JSC Code of Conduct clause 5.6

[10] Taken from JSC Code of Conduct clause 5.6

c) **Manage COI:** once declared, mitigations will be considered and designed by the relevant executive, manager or governance body. Consideration will be given to the need to avoid, document or action the conflict, by assessing alternative actions and the level of impact posed by the conflict. In managing conflicts of interest, the potential actions that will be considered include:

   i) **documenting and recording** the details of the declared conflict

   ii) **avoiding** the declared conflict through mitigation actions, including the individual removing themselves from their involvement where relevant

   iii) **restricting** the involvement of the individual to minimise potential conflict

   iv) **recruiting** an independent third party to oversee the process to minimise potential conflict

   v) **relinquishing** the private interest that may be creating the conflict or resigning from the Public Skills Australia position.

d) **Manage Gifts and Benefits:** Gifts, benefits and hospitality received must:

   i) Be declared by the recipient, and included in the Gifts (including Benefits and Hospitality) Register

   ii) Not be solicited or improperly encouraged by the recipient

   iii) Be declined where acceptance could, or could reasonably be seen to, compromise the decision-making or actions of the recipient. Cash gifts, benefits or hospitality must not be accepted in any circumstance.

Recording Registers

7. Public Skills Australia maintains a separate *Conflict of Interest Register* for each governance group, contractor, subcontractors and agents, and employees and a single Gifts (including Benefits and Hospitality) Register for the organisation.
8. In compliance with the JSC Code of Conduct, the *Conflict of Interest Register*[11] must include:
   a) the name of the relevant individual or organisation
   b) details of their role in relation to Public Skills Australia

[11] See Jobs and Skills Council Code of Conduct clause 5.13

c) a record and description of any declared interests or associations, including details of how this interest or association relates to any actual or potential activities of Public Skills Australia

d) the date of disclosure

e) an assessment of the risks posed by the declared interest or association

f) any steps taken to mitigate, manage, or remove the conflict (if any), including identifying any follow-up actions required.

9. The Gifts (including benefits and hospitality) Register records any gifts, benefits and hospitality received by individuals, groups or organisations which could be considered to create a real or perceived conflict of interest and which is valued at over $100[12].
10. The *Conflict of Interest Register* for the Public Skills Australia Board and the company *Gifts (including benefits and hospitality) Register* will be held by the Public Skills Australia Executive and regularly be reviewed by the Audit, Finance and Risk Committee.
11. The *Conflict of Interest Register* for the Public Skills Australia Board and the company *Gifts (including benefits and hospitality) Register* will be published on Public Skills Australia's website and updated as changes occur.
12. Public Skills Australia's templates for Conflict of Interest Register' and Gifts (including Benefits and Hospitality) Register are at **Appendices B and C**.

[12] Financial threshold established to align with practice guidance provided by Australian Public Sector Commissioner Guidance.

Appendix A: Conflict of Interest Process

1. IDENTIFY

Individuals, groups and organisations consider their private interests and professional duties and responsibilities with Public Skills Australia. In particular, the impact of relationships

Conflict of Interest Identified?

Yes

No

No further action required.

Continue to monitor for conflicts of interest.

2. DECLARE

Individuals, groups and organisations declare any identified conflict to the relevant executive, manager or governance body via a Conflict of Interest Form.

Board Directors, Governance Group Members, Networks, Technical Committees and Working Groups members must declare conflicts at commencement of the committee meeting and mitigations should then be agreed to in the Conflict of Interest Register and recorded in the meeting minutes.

3. MANAGE

The relevant executive, manager or governance body designs mitigations which document, avoid, restrict involvement, appoint independent oversight, or relinquish the interest or position.

Recording Registers

Conflict of Interest Register

Per the JSC Code of Conduct: the individual or organisation, their role, declared interests, disclosure date, risk assessment, and any mitigation or follow-up actions.

Gifts, Benefits & Hospitality Register

Records gifts, benefits or hospitality over $100 that could create a real or perceived conflict. These must be declared, never solicited, and declined where they could compromise decisions.

Both registers are held by the Public Skills Australia Executive, reviewed regularly by the Audit, Finance & Risk Committee, and published on the PSA website.

Appendix B: Conflict of Interest Policy - Conflict of Interest Register

No.	Individual/Organisation	Role	Description of declared interest/association	Date of disclosure	Assessment of integrity risk	Mitigation strategy
Board Directors						
						Rows to be added
Advisory Committee Members						
Member Organisations						
Employees, Contractors, Subcontractors and Agents						

Other board directorships held by Board Directors

No.	Board Director Name	Other directorships held
		Rows to be added as required

Appendix C: Gifts, (including Benefits and Hospitality) Register

No.	Recipient of GB&H	Provider of GB&H	Description of GB&H	Value of GB&H	Circumstances/Reason for GB&H	Assessment of actual or perceived conflict of interest
Board Directors						
1.						
2.						
Advisory Committee						
3.						
4.						

Appendix C: Definitions

For the purpose of this policy:

- **Conflicts of Interest** refers to private or personal interests of an individual that could improperly influence or contradict their duties and responsibilities to act in the best interests of Public Skills Australia, or the Jobs and Skills Grant Agreement. Conflicts of interest may be defined as actual, potential or perceived, and may be financial or non-financial in nature:
  - **Actual conflict of interest** refers to a conflict between the private or personal interests of an individual and their duties and responsibilities to act in the best interests of Public Skills Australia.
  - **Potential conflict of interest** refers to a potential conflict between the private or personal interests of an individual and their duties and responsibilities to act in the best interests of Public Skills Australia. In situations where it is foreseeable that a conflict could arise; the risk posed by the potential conflict should be identified, declared/reported and managed.
  - **Perceived conflict of interest** refers to instances where a third party (or the public) could form the opinion that the private or personal interests of an individual could improperly influence their duties and responsibilities to act in the best interests of Public Skills Australia. In situations where it is foreseeable that such a conflict could arise; the risk posed by the potential conflict should be identified, declared/reported and managed.
  - **Gifts, benefits and hospitality** refer to any form of gifts, benefits or hospitality an individual has received that could, or could be seen to, compromise the decision-making of the individual and which is valued at over $100[13]

[13] Financial threshold established to align with practice guidance provided by Australian Public Sector Commissioner Guidance.