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RESPONSIBLE MANAGER:	CEO / Board Secretary
CATEGORY:	Institute Governance
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RELATED DOCUMENTS:	Legislation: AASB 124 – Related Party Disclosure Code of conduct for Victorian Public Sector Employees 2015 Code of conduct for Directors of Victorian Public Entities 2016 Documents: HR081 Declaration of Private Interests form HR082 Conflict of Interest Declaration form PPP028 Financial Delegations Policy PPP083 Code of Conduct

INTRODUCTION

South West Institute of TAFE (SWTAFE) is required under the Australian Accounting Standards AASB 124 – Related Party Disclosures to disclose material related party transactions in its annual financial statements.

This policy is to ensure that SWTAFE's transactions with related parties are disclosed, thereby ensuring transparency in dealings and their effect on SWTAFE's financial reports. These disclosures draw attention to the possibility that SWTAFE's financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties.

SCOPE

This Policy shall be applied in:

- identifying related parties and relevant transactions;
- identifying outstanding balances, including commitments, between SWTAFE and its related parties;
- identifying the circumstances in which disclosure of the items in (a) and (b) is required; and
- determining the disclosures to be made about those items.

This policy applies to Key Management Personnel (KMP). Any failure to comply with or breaches of this Policy may be regarded as misconduct or serious misconduct, depending on the nature of the conflict of interest, and may be subject to disciplinary action.

DEFINITIONS

Key Management Personnel (KMP) - Those persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly. For South West TAFE the Key Management Personnel that have been identified include Board members and the Executive team.

Material - Information is material to financial statements if omitting it or misstating it could influence decisions that users make on the basis of financial information

Related Person - Includes key management personnel (KMP) and close family members of KMPs.

Related Entity - Is a subsidiary, associate or joint venture or any other entity that is controlled or jointly controlled by related persons.

Related Party Transaction - Is a transfer of resources, services or obligations between SWTAFE and a related party, regardless of whether a price is charged. In considering related party relationship, attention is directed to the substance of the relationship and not merely the legal form.

Close Family Members of a Person - Are those family members who may be expected to influence, or be influenced by, that person in their dealings with SWTAFE.

STATEMENT

SWTAFE must disclose certain related party relationships and related party transactions together with information associated with those transactions in its general purpose financial statements in order to comply with Australian Accounting Standard AASB 124 *Related Party Disclosures*.

SWTAFE's related parties include:

- key management personnel (KMP) of SWTAFE
- close family members of KMP
- entities related to SWTAFE, such as subsidiaries, joint ventures and associates
- entities controlled or jointly controlled by KMP or their close family members.

A related party transaction is any transaction between SWTAFE and the above related parties, whether monetary or not.

Disclosure in SWTAFE's annual financial statements will only be made where a transaction has occurred between SWTAFE and a related party of SWTAFE, and the transaction is material in nature or size, when considered individually or collectively.

In order to meet the disclosure requirements, all KMP must periodically provide a related party declaration identifying any close family members and entities controlled or jointly controlled by KMP or their close family members. Related party declarations will be requested by the Board Secretary annually.

The information collected in the declarations will be used for the purposes of preparing SWTAFE's financial statement note disclosures. The Corporate Services Department will maintain a register to record and assess the related parties and related party transactions. The declarations and related party register may be audited as part of the annual external audit by Victorian Auditor General's Office (VAGO).

PRIVACY AND FREEDOM OF INFORMATION

Collection and storage of personal information is governed by SWTAFE's Privacy Policy, the *Privacy Act 1988* and the *Right to Information Act 2009*. Information provided by SWTAFE's Key Management Personnel and other related parties shall be held for the purpose of compliance with SWTAFE's legal obligations and shall be disclosed where required for compliance or legal reasons only.