

# 14. Conflict of Interest Policy and Procedure

---

<b>Approval Date:</b> 20 Jun 2024	<b>Review date:</b> 20 Jun 2025	<b>Version:</b> 1.1
-----------------------------------	---------------------------------	---------------------

## Purpose

Australian Quality Care is committed to ensuring that actions and decisions taken at all levels in the organisation are informed, objective and fair. A conflict of interest may affect the way a person acts, the choices they make, or the way they vote on group decisions.

Australian Quality Care will proactively manage any perceived and actual conflicts of interest through the development and maintenance of organisational policies. This management will ensure that corporate and ethical values do not impede the participants right to choose and control their supports and services.

Identified conflicts of interest require action to be undertaken to ensure that personal or individual interests does not impact on the organisation's services, activities or decisions.

## Scope

All management, Staff and contractors must act in the interests of the organisation and notify the organisation when any conflicts clash with other interests or commitments.

## Policy

Declaration and management of conflicts of interest are required explicitly by the Board, as part of their legal responsibilities as the controlling member of the organisation.

This policy requires management and Staff to disclose any outside interests that conflict with the interests of the organisation. The Board must act impartially, and without prejudice, and not accept gifts or benefits that would influence any decision relating to Australian Quality Care.

Examples may include:

- Close personal friends or family members involved in decisions about employment, discipline or dismissal, service allocation, or awarding of contracts
- Individuals, or their close friends or family members, who are gaining financially or gaining some other form of advantage
- An individual engaged by another organisation offering services that are in a competitive relationship with Australian Quality Care. The individual may have access to commercially sensitive
- Information, plans or financial information which conflict with Australian Quality Care

- Prior agreements or allegiances that are binding an individual to other individuals or agencies, requiring them to act in the interests of another party or to take a position on an issue that will conflict with Australian Quality Care.

## Procedure

### Registration of known conflicts of interest

A Conflict of Interest Register will be maintained, and management and Staff will be asked to declare:

- Potential or actual conflicts of interest that exist when a person joins the organisation
- Conflicts of interest that arise during their involvement with the organisation, which will be recorded in the register maintained by management and be reported to the Board or their delegate regularly.

All potential and actual conflicts will be recorded in the register to provide sight of the identified and declared conflicts.

All management and Staff are required to declare any potential or actual conflicts of interest that become evident during their involvement with the organisation. Management must disclose potential conflicts prior to the commencement of any meeting.

### Management of conflicts of interest

Where a conflict of interest is declared or identified by a Staff:

- The Staff's immediate supervisor and the Board will assess the conflict
- If a conflict of interest exists, or there is a perception that a conflict exists, the Staff may be asked to:
  - Contribute to the discussion but abstain from voting or taking part in a decision on the matter
  - Observe but not take part in the discussion or decision-making
  - Leave the meeting during the discussion and before a decision has been made.

### Staff involvement in external activities

Australian Quality Care encourages and supports the Staff to become involved in community activities and volunteer work in their personal lives. However, it is possible that Staff may undertake volunteer or professional roles outside the organisation that may give rise to a conflict of interest, or a perception of conflict, e.g. Staff undertaking consultancy work for member organisations or government agencies.

As a result, Australian Quality Care expects that all Staff declare their involvement in external work-related activities to allow for discussion and management of the potential conflicts of

interest. Staff members who undertake other (new) work outside of the organisation need to inform their manager or supervisor.

## **Contractors**

All contracts with external consultants engaged by the organisation will include a Conflict of Interest Declaration where a conflict of interest exists.

## **Declaration of Association**

Australian Fidelity Care Services Pty Ltd trading as Australian Quality Care, operator of Alora Retreat, shares a director with Skymac Pty Ltd, operator of Avalon Village and Thornfields.

The appointment of separate key personnel monitors any potential conflict of interest that could arise from this association with a requirement to report and review at regularly scheduled management meetings.

This declaration of association is communicated to all new and existing service users of Australian Quality Care verbally and via the terms in our NDIS Service Agreement and the Disclosure of Relationship form.

## **Related documents**

- Code of Ethics and Conduct Agreement
- Conflict of Interest Declaration
- NDIS Service Agreement
- Disclosure of Relationship
- Conflict of Interest Register
- Privacy and Confidentiality Agreement

## **References**

- [Australian Privacy Principles \(APP\)](#)
- [NDIS Act 2013](#)
- [NDIS Practice Standards and Quality Indicators 2021 – Version 4](#)
- [Privacy Act \(1988\)](#)