

Conflict of Interest Policy

A Scope

- (i) This policy applies to all staff and directors of Interaction Disability Services Ltd.

B Purpose

- (i) To establish guidelines regarding the provision and separation of different areas of support for participants under the NDIS.
- (ii) To ensure actual or potential conflicts of interest are declared, recorded and addressed.

C Policy

- (i) Interaction is committed to high standards of ethical conduct and places great importance on appropriately managing any existing or potential conflict of interest.
- (ii) Interaction is committed to always acting in the best interests of participants and will ensure each participant receives transparent, factual advice about their support options which promotes choice and control.
- (iii) Interaction recognises the potential for a conflict of interest to arise when providing more than one support function for participants under their NDIS Plan.
- (iv) Interaction will employ staff in clearly defined roles to undertake separate areas of support and functions.
- (v) Interaction acknowledges there are other service providers a participant may choose to engage with other than Interaction.

D Definitions and Acronyms

Further definitions and acronyms relevant to this Policy may be found in the **Glossary or Acronyms** document in the Policies Document Library.

- (i) **Conflict of interest** refers to a situation in which an employee or director has a business, financial or personal interest, relationship or obligation that conflicts with or has the potential to conflict with or influence their responsibilities, decisions or other obligations to Interaction.

Examples of a potential conflict of interest include circumstances where an employee or relative of that employee:

- Are or may be in a position to show favouritism, or influence the giving of a financial or other significant benefit, to a third party (including a participant) as a result of their position at Interaction;

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- Have the opportunity to influence Interaction business, administrative, or other material decisions in a manner that leads to personal gain or advantage;
 - Have an existing or potential financial or other significant interest that impairs or might appear to impair their independence, with respect to the discharge of their responsibilities to Interaction; or
 - Are or may be in a position to engage a third party to provide goods or services to Interaction and to benefit from that engagement.
- (ii) **Plan Manager** refers to the individual or agency which manages wholly or partially a participant's funding for supports outlined within their NDIS plan.
- (iii) **Serious conflicts of interest** refers to those which involve decisions that could affect support and/or recruitment related activities, grants, contracts or expenditure.
- (iv) **Support Coordinator** assists participants to build the skills they need to understand, implement and use their NDIS plan. The Support Coordinator works with participants to ensure a mix of supports are used to increase their capacity to maintain relationships, achieve their NDIS goals, manage service delivery tasks, live more independently and be included in the community.

E Implementation

- (i) Items that are not a conflict of interest include membership of other organisations where there is no conflict or potential for conflict; union representation or membership; or Interaction approved collaboration with other organisations.
- (ii) Each business area will have well defined and separate administrative procedures for each NDIS support offered.
- (iii) Staff will inform participants and their support networks of their right to choose any service provider for supports detailed in their NDIS plan.
- (iv) Staff will provide information on where participants and their support networks can locate information on other service providers.
- (v) Staff will ensure if a participant and their support network choose Interaction for one NDIS support function, such as Support Coordination, it is explained they do not have to choose Interaction for any other supports detailed in their NDIS plan.
- (vi) Participants will receive a separate Service Agreement and contact details for each NDIS support function Interaction provides, including Support Coordination, Accommodation, Community Access and Self Care and Behaviour and Allied Health Services.
- (vii) Staff who provide Support Coordination for a participant will not be permitted to provide any direct support assistance for the participant. Conversely, staff who provide assistance or coordination of a participant's direct supports will be unable to provide Support Coordination for the participant.

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- (viii) Staff are not permitted to provide services to their own relatives without appropriate safeguards and risk mitigation strategies in place to manage the relationship. These must be approved by the CEO or delegated member of the Executive Leadership Team.
- (ix) Where Interaction employs more than one person from a family, this must be declared on the staff member's Declaration of Interests form.
- (x) If required, staff will provide or explain Interaction's Conflict of Interest Policy to each participant using the language, mode of communication and terms that the participant is most likely to understand.
- (xi) Support Coordinators will ensure referrals to and from other providers are documented in each participant's file.
- (xii) Staff will inform participants of their right to complain about the quality or delivery of Interaction's services as outlined in Interaction's Complaints, Feedback and Compliments Policy.

Gifts and Benefits

- (i) Staff who receive any gifts or benefits valued at \$50 or over must declare the item to their manager. The manager will assess whether the gift or benefit constitutes a serious conflict of interest. Where the gift or benefit is assessed as a serious conflict of interest, the item will be returned to the giver with an explanation as to why the item couldn't be accepted. Where the item is approved by the manager for staff to retain, details of the gift or benefit will be added to the Gifts and Benefits Register by an ELT member.
- (ii) Staff must not accept gifts or benefits where the gift may cause staff to act in a manner contrary to the interests of the participant as outlined in Interaction's Code of Conduct Policy.

Declaring an Actual or Potential Conflict of Interest

- (i) Where a staff member identifies an actual or potential conflict of interest, they must:
 - Declare the situation to their manager or relevant Divisional Executive as soon as possible and complete or update their written Declaration of Interests form;
 - Remove themselves from any relevant evaluation, referral or decision process and either appoint someone else to perform the activity or refer it to their manager; and
 - If the actual or potential conflict of interest relates to another staff member, inform the Divisional Executive who will follow it up with that person and document the discussion. Once noted, the staff member who has identified the conflict must be reassured that the matter will be followed up however they may not know the outcome due to privacy and confidentiality.
- (ii) Where staff identify an actual or potential conflict of interest, their manager and relevant Divisional Executive will agree on appropriate

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actions for resolution of the conflict with the staff member and document these actions on the Declaration of Interests form.

- (iii) All Declaration of Interests forms will be provided to the Executive and Governance Officer for inclusion on the Interests Register and filed.
- (iv) Confirmation of staff's independence of agenda items will be sought at each Executive Leadership Team, Senior Leadership Team, team and committee meetings.
- (v) The Executive and Governance Officer will maintain and update the organisational Interests Register.
- (vi) Where a director identifies an actual or potential conflict of interest,
 - Declare the interest at a Board meeting as soon as possible and complete or update their written Declaration of Interests form; and
 - Remove themselves from any relevant evaluation, referral or decision process.
- (vii) A copy of the Board of Directors' Interests Register will be tabled and confirmation of Director independence of agenda items sought at each Board and Board Committee meeting.
- (viii) Once a year, the Executive and Governance Officer will request that all managers and directors review the submitted Declaration of Interests forms and update them if circumstances have changed. The returned details will be recorded in the Interests Register.
- (ix) The Executive and Governance Officer will notify the CEO and Board Chair once all signed forms have been returned and advise if any serious conflicts of interests have been notified. If any serious conflicts of interest are identified, appropriate actions for resolution of the conflict will be discussed and agreed upon with the individual concerned.

Secondary Employment

- (i) Staff must complete a Secondary Employment form to declare and seek approval for any secondary employment they hold.
- (ii) Once completed, the Secondary Employment form will be reviewed by the relevant Divisional Executive. The Divisional Executive's recommendation will be forwarded to the CEO for a final determination.
- (iii) All Secondary Employment forms will be recorded on a register and filed in the relevant person's file by People and Culture.

F Relevant Legislation and Standards

- (i) National Disability Insurance Scheme Act (2013)
- (ii) National Disability Insurance Scheme Practice Standards and Quality Indicators, November 2021

G Interaction Forms

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- (i) Declaration of Interests Form
- (ii) Housing Agreement
- (iii) Schedule of Support
- (iv) Secondary Employment Form
- (v) Service Agreements

H Related Policies

- (i) Code of Conduct Policy
- (ii) Complaints, Feedback and Compliments Policy
- (iii) Disciplinary Policy
- (iv) Specialist Support Coordination Policy

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