

## Summary

It is the responsibility of Life Without Barriers and its employees, the board, contractors, carers and volunteers to guard against conflicts of interest that might compromise the integrity and objectivity of the Life Without Barriers community. All employees, contractors, volunteers and carers are responsible for declaring any potential, perceived or actual conflicts of interest.

The Conflicts of Interest Policy Guideline outlines Life Without Barriers' (LWB) principles for the identification and management of actual, potential, or perceived conflicts of interest, and how best to address such issues if they arise. Conflicts of Interest will be managed consistent with Our Values, this Policy Guideline and any legal obligations.

This Policy Guideline is subject to variation from time to time, at the sole discretion of LWB. It is not intended to be legally binding and does not form part of employees' contracts of employment.

## Scope and Application

This policy applies to employees, the board, contractors, volunteers and carers.

## Aim of the Policy

To safeguard the reputation and integrity of LWB to its employees, the board, funders, service users, the community and any other parties in contact with LWB;

To ensure public trust in LWB's services and management is maintained;

To ensure sound, fair, efficient and objective decisions are made, allowing LWB to achieve its stated objectives within the framework of the organisation's strategy, vision, mission and values.

## Definitions

- A **conflict of interest** is a situation in which a person has a private or personal interest sufficient to influence or appear to influence objective decision making or actions in their role. Conflicts of interest exist if a person's position or authority may be used to influence or make decisions that lead to any form of financial or personal gain (or avoidance of loss) for that person or for their family or friends, whether actual or perceived.

Examples of conflicts of interest include, but are not limited to:

- Contracts between the organisation and a company in which the person has an interest;
- Ownership of property which may be affected by a decision of the organisation;
- Material shareholding in a company dealing with or in competition with the organisation;
- Person's position in a company dealing with or in competition with the organisation;

- Creditor status in a company dealing with the organisation;
  - Professional involvement with a Government department or an organisation where the nature of this involvement may have an actual or perceived potential to either advantage or disadvantage Life Without Barriers in respect of its funding and/ or status as a licensed or accredited service;
  - Having influence on any HR or Management related decisions of another LWB employee, the board, contractor or carer with whom you have a close personal relationship (whether it be a family relationship, intimate or otherwise);
  - Having access to information about a child, adult or another organisation due to a duality of roles held by you (such as when an employee is also a volunteer foster carer);
  - Having a personal relationship with a colleague or stakeholder of the organisation.
- **Actual conflict of interest:** involves a direct conflict between current duties and responsibilities and existing private interests.
  - **Perceived conflict of interest:** conflict exists where it could be perceived, or appears, that private interests could improperly influence the performance of duties—whether or not this is in fact the case.
  - **Potential conflict of interest:** arises where private interests could conflict with a person’s responsibilities or duties.
  - **A pecuniary conflict of interest** involves financial gain or loss.
  - **A non-pecuniary conflict of interest** does not involve financial gain or loss, but rather involves benefits associated with relationships (based on enmity or amity).

## Conflicts of Interest Policy Guideline

LWB will take necessary precautions to ensure conflicts of interest are disclosed and appropriately managed;

It is everyone’s responsibility to identify and disclose potential, perceived or actual conflicts of interest prior to making a decision or carrying out any actions;

Employees, contractors, volunteers and carers must not carry out decisions or actions that will unfairly advantage them or provide private gain;

Conflict of Interest disclosures will be acted upon, and any plan or procedure agreed to in order to manage the conflict of interest will be followed. Where a conflict of interest no longer applies, the Manager should also be notified;

Decisions or actions which unfairly benefit an individual will not be permitted without adequate protection in place to prevent inappropriate pecuniary or non pecuniary benefits;

Where there is a potential conflict of interest, a full and frank disclosure should be made to the line Manager / supervisor (or contact at LWB in the case of carers);

Conflict of Interest disclosures will be treated as confidentially as possible, within the

requirements of the law and LWB’s privacy policy;

Failure to disclose actual or potential conflicts of interest can lead to:

Misconduct or other disciplinary proceedings against the person; Termination of a service agreement with a contractor;

Legal action against LWB or the individuals concerned.

## Policy Commitments

Encourage all employees, the board, contractors, volunteers and carers to disclose conflicts of interest;

Follow the agreed procedure for handling a declared conflict as set out in the conflict of interest disclosure form;

## Performance Indicators

Completed conflict of interest disclosure forms on file;

A reputation of integrity and objectivity in the eyes of all LWB Key Stakeholders. This can be measured by achievement of re-accreditation and licensing with funding bodies.

## Non-Compliance of Policy

Failure to comply with this policy may result in disciplinary action up to and including Termination of employment.

## Roles and Responsibilities

Role	Responsibilities
PSC Business Partners, PSC Advisors, State Directors & Managers	<ul style="list-style-type: none"><li>▪ Provide advice and guidance on the management of conflicts of interest as required;</li><li>▪ Encourage discussion and awareness of conflicts of interest through team meetings and communication;</li><li>▪ Raise the issue with the individual/s involved if you become aware of a conflict of interest or the potential for a conflict.</li></ul>

Role	Responsibilities
Line Manager / Supervisor	<ul style="list-style-type: none"> <li>▪ Comply with the Conflict of Interest Policy and this procedure;</li> <li>▪ Facilitate compliance with the Conflict of Interest Policy and this procedure by ensuring those you supervise:               <ul style="list-style-type: none"> <li>▪ Are aware of the appropriate policies and procedures;</li> <li>▪ Are aware of the risks of conflicts inherent in the particular work or role of the individual;</li> <li>▪ Receive appropriate advice about how to manage or eliminate conflicts of interest;</li> </ul> </li> <li>▪ Record the receipt of disclosed conflicts through the Disclosure of Conflict form (to be kept on the individual’s file);</li> <li>▪ Monitor the compliance and the effectiveness of any procedure in place for the management or elimination of a conflict of interest.</li> </ul>
Employees, the board, volunteers, carers	<ul style="list-style-type: none"> <li>▪ Maintain currency of the Conflict of Interest Policy and this procedure, clarify any issues you are uncertain about with your line manager or supervisor;</li> <li>▪ Be aware of your obligation to avoid or manage conflicts of interest;</li> <li>▪ Identify any actual, potential or perceived conflicts of interest immediately to your line manager or supervisor. Err on the side of caution if uncertain (where appropriate, the Other Employment Disclosure Form);</li> <li>▪ Fill out a Declaration of Conflict form and discuss it with your line manager or supervisor;</li> <li>▪ Follow the procedure outlined in the Declaration of Conflict form in order to manage or eliminate the conflict of interest.</li> </ul>

**Version Control**

Previous version	Doc ID
Conflict of interest	POLICY-4-9471
HR 2002.03.000 Conflict of Interest Policy.docx	POLICY-4-295