

POLICIES AND PROCEDURES

CATEGORY: ALL SERVICES

TOPIC: CONFLICT OF INTEREST

How to use this document:



This information is written in an easy to read way. We use pictures to explain some ideas.



This document has been written by South Burnett CTC Inc. When you see the word 'we' or 'organisation', it means South Burnett CTC Inc. (CTC).



This Easy Read document is a summary of our official policy document – Conflict of Interest.



You can ask for help to read this document. A friend, family member or support person may be able to help you.

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What is a conflict of interest?

A conflict of interest is a situation where a staff member and an organisation have competing interests or loyalties.

A conflict of interest may be:

- actual – it happened
- potential – something might turn into a conflict of interest
- perceived – it seems like a conflict of interest

Examples of a conflict of interest

- Conflicts of interest can involve a person who has two relationships that might compete with each other for that person's loyalties. For example, the person might have a loyalty to an employer and also loyalty to a family business. Each of these businesses expects the person to have its best interest first.
- A conflict of interest arises in the workplace when an employee has competing interests or loyalties that either is or potentially can be, at odds with each other. An example is a manager who was promoted from a co-worker job where he worked with his wife.

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CTC's Conflict of Interest Policy

CTC's policy was developed so that;

- conflicts of interest are reported in a timely manner,
- conflicts of interest are managed effectively,
- clients, the organisation and staff are protected against perceived or real conflicts of interests,
- no one is adversely affected by a conflict of interest.

CTC's processes will ensure that:

- Clients are
 - treated equally with no client being given preferential treatment above another,
 - provided with support from staff who act in their best interests, and
 - empowered and able to maximise choice and control.
- Staff are
 - aware of their obligations to declare a conflict of interest,
 - not involved in providing support to a client or making decisions where there is a conflict of interest
- Potential conflicts of interest within the delivery of any CTC services or programs are transparently managed.
- The organisation continues to meet all Industry Practice Standards, including;
 - the NDIS Practice Standards,
 - the Human Services Quality Standards,
 - Qld Human Rights Act and
 - other relevant Acts.

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The responsibility to declare a conflict of interest rests with each individual staff member. Failure to disclose may lead to disciplinary action, including termination of employment or end of contract.

The process for satisfactorily managing a conflict of interest may include but is not limited to:

- The staff member continuing in their usual duties.
- Some duties of the staff member being assigned to another staff member.
- The staff member being directed to separate themselves from that interest within a specific timeframe.
- Any other recommendations that may be appropriate in individual circumstances.

If a conflict of interest cannot be satisfactorily managed by CTC:

- external advice will be sought to ensure all Industrial Relations requirements are met before any further action is undertaken, and
- the staff member will be supported to gain and provide feedback on their own independent advice if they wish to do so.

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RESPONSIBILITIES – ALL STAFF

(including Volunteers and Student Placements)

Staff will:

- Act impartially and without prejudice, and in the best interest of clients at all times.

- Adhere to the
 - organisation's Codes of Conduct
 - Staff Code of Conduct,
 - NDIS Code of Conduct
 - Code of Conduct for Working with Children and Young People
 - Industry Practice Standards
 - NDIS Practice Standards
 - Human Services Quality Standards, and
 - Qld Human Rights Act.

- Ensure clients are informed, empowered and able to exercise choice and control over their lives.

- Not (by act or omission) constrain, influence or force decision-making by a client, so as to limit the client's access to information, opportunities, choice or control.

- Provide clients with options for support (including supports not delivered by CTC).

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- Treat all clients equally, not accepting any offer of money or gifts, services or benefits
- Not breach any other personal or professional boundaries, where decision making could be influenced or contrary to the best interest of a client.
- Not hold any financial or other personal interest that could influence or compromise the choice of provider or provision of supports to a client.
- Declare any potential, perceived and/or real conflict of interest to the Human Resources Team at commencement of employment and via their Team Leader/Service Manager immediately as they arise during their employment.
- Provide input into how any conflict of interest they have may be managed.
- Adhere to the way in which they have been instructed to manage a conflict of interest.
- Advise the Human Resources Team through their Service Manager when a conflict of interest no longer exists.

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RESPONSIBILITIES – HUMAN RESOURCES TEAM

- Maintain a Central Conflict of Interest Register for all staff, by service, for internal use and approved external use (eg. for the purpose of external audits).
- Screen potential staff for any conflicts of interest.
- Discuss any identified conflicts of interest with potential staff and
 - ensure they can be satisfactorily managed before offering employment,
 - enter these on the Central Conflict of Interest Register if commencing employment.
- Ensure staff are aware of their responsibility to declare a conflict of interest, whether potential, perceived and/or real at commencement of employment and as they arise during employment.
- Ensure staff are reminded that a checklist is available to assist them to self-identify and declare a conflict of interest by posting a reminder notice on the staff intranet in January and July of each year.
- Assist Service Managers/Team Leaders as required to assess and put a satisfactory management strategy in place for conflicts of interest declared by their staff.
- Where it is identified internally that a conflict of interest cannot be satisfactorily managed,
 - seek external advice (eg. through a relevant Peak Body/Fair Work) to ensure all Industrial Relations requirements are met before taking any further action, and
 - support the staff member to gain and provide feedback on their own independent advice if they wish to do so.

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RESPONSIBILITIES – CORPORATE SERVICES

- Screen new suppliers/contractors for any potential conflicts of interest before engaging them or entering them onto the CTC Preferred Suppliers List.
- Ensure the CTC Preferred Suppliers List is reviewed at a Management Meeting in January and July of each year.

RESPONSIBILITIES – ALL SERVICE MANAGERS/TEAM LEADERS

- Ensure that advice to clients about support options (including those not delivered directly by CTC) is transparent and promotes choice and control.
- Assess and put a satisfactory management strategy in place for conflicts of interest declared by staff within the Service.
- Provide details to the Human Resources Team for capturing on the Central Conflict of Interest Register.
- Immediately refer any declared conflicts of interest that cannot be, in their assessment, satisfactorily managed, to the Human Resources Team.
- Monitor the management of their staff's declared conflicts of interest through regular support and supervision.
- Screen for unidentified conflicts of interest through regular support and supervision.

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RESPONSIBILITIES – DISABILITY SERVICE MANAGER

Manage conflict of interest in NDIS Plan Management and Support Coordination by ensuring that:

- Plan Management, Support Coordination Services and direct services have well defined and separate administrative procedures to follow.
- Staff engaged as Plan Managers and Support Coordinators do not play any role in the coordination of delivery of direct services for the clients they are supporting.
- Ensure clients always have a choice to use either CTC or other service providers in relation to plan management, support coordination and/or other supports.
- Ensure advice offered to clients about support options (including those not delivered directly by CTC) is transparent and promotes choice and control.
- Ensure that if a client chooses to use CTC's Plan Management or Support Coordination Services, they do not have to use any CTC supports or services.
- Ensure support is offered to clients regardless of whether they self-manage their plan, use the NDIA or any other registered Plan Manager.
- Ensure where CTC operates as a financial intermediary, systems are in place to ensure funds that are allocated to participants remain independent of funds used for other organisational purposes and are only used for the purposes intended.

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- Ensure clear guidelines are in place regarding the allocation of NDIS funds, the independence of these funds and the process of managing a client's funds as stipulated in the client's plan.
- The Support Coordination Team supports clients to make choices about what is best for them, without bias or receiving incentives.
- Support Coordination Team maintains records on the options presented to clients when comparing and selecting support.
- Clients are presented with a range of choices about providers of supports external to CTC.
- Evidence (brief file notes) demonstrate that clients have not been influenced to select CTC.
- Support Coordination client information is only viewable within the Support Coordination Team.
- Requests for Service through the portal are directly diverted to the Support Coordination Team.
- Support Coordinators are not rewarded for internal referrals to other services offered by CTC.
- Support Coordinators set a clear agenda for their initial meeting with new clients which including the discussion of conflict of interest.