

CONFLICT of INTEREST POLICY – SERVICE DELIVERY

Preamble

within Australia is committed to high standards of ethical conduct and accordingly this policy has been developed to provide a framework for conducting its business and delivering its services in a fair, transparent, accountable and impartial manner. This conflict of Interest Policy deals with situations in which:

1. our employees and relevant persons may have an actual, perceived or potential conflict of interest between their public role and their personal interests.
2. **within Australia** may have an actual, perceived or potential conflict of interest between providing advice on support options and running their business interests.

The core focus of and purpose of this policy is to set out a framework for employees and relevant persons to identify, disclose, manage and monitor conflicts of interest.

Policy Statement

within Australia must act in the best interests of participants of the NDIS, ensuring that participants are informed, empowered and able to maximise choice and control. **within Australia** must not (by act or omission) constrain, influence or direct decision making by a person and/or their family so as to limit that person's access to information, opportunities and choice and control.

A conflict of interest may affect a person's judgement as to what is in the organisation's interest, or may lead to a bias in their decision making. It is not always possible to avoid a conflict of interest. A conflict of interest is not necessarily unethical or wrong.

It is important that any actual, perceived or potential conflict of interest is identified, disclosed, effectively managed and monitored as per **within Australia's** Conflict of Interest (Service Delivery) Procedures. Management of conflicts of interest must be fair, transparent, accountable and free from bias.

within Australia and its staff will:

- enabled participants to make informed choices;
- ensure that its organisational and ethical values do not impede participants right to choice and control;
- ensure that it does not direct or influence a participant's choice of services or supports;
- ensure that advice to a participant about support options (including those not delivered directly by **within Australia**) is transparent and promotes choice and control;
- not accept any offer of money, gifts, services or benefits that would cause them to act in a manner contrary to the interests of the participant;
- not obtain or offer any form of commission;
- manage, document and report on individual conflicts of interest as they arise; and
- put the interests of the participant first.

The National Disability Insurance Agency (NDIA) may, from time to time, issue Operational Guidelines and pricing arrangements relating to conflict of interest. These must be adhered to by **within Australia**.

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within Australia also has in place governance arrangements that ensure that all participants are treated equally, and that no participant is given preferential treatment above another in the receipt or provision of supports.

within Australia has stringent conflict and complaints resolution policies in place that will ensure:

1. staff are free to advocate for their respective employer and participants without actual or apparent fear of recourse; and
2. clients may freely raise concerns or complaints, and choose other service providers without actual or apparent fear of recourse.

Scope

This policy applies to all persons administered by or working for **within Australia** including:

- employees, whether full-time, part-time, fixed-term or on contract;
- board or committee members;
- volunteers; and
- suppliers or consultants whose contracts specify that they are bound by this policy.

Definitions

A conflict of interest may arise from a conflict between the performance of a role at **within Australia** and a private or personal interest

A personal interest includes the private, professional or business interests of a person, or of the individuals or groups with whom they have a close association, such as relatives, friends or associates/acquaintances. Personal interests may be pecuniary or non-pecuniary.

Pecuniary: a pecuniary interest refers to an actual or potential financial gain or loss for the person, their family, friends or close associates.

Non-pecuniary: a non-pecuniary interest refers to an interest that is not financial or monetary but arises from such things as personal relationships, beliefs or involvement in social, cultural, religious or sporting activities.

A conflict of interest may be actual, perceived or potential.

Actual: an actual conflict of interest occurs when there is a conflict between a person's official duties and responsibilities in serving the company's interest, and their personal interest.

Perceived: a perceived conflict of interest occurs when a reasonable person, knowing the facts, would consider that a conflict of interest may exist, whether or not this is the case.

Potential: a potential conflict of interest occurs where a person has a personal interest that could conflict with their official duties in the future.