



# Conflict of Interest Policy

## 1. Purpose

Helpful Connexions is committed to conducting business and delivering services in a fair, transparent, accountable and impartial manner. This Conflict of Interest Policy deals with situations in which our employees and Directors may have an actual, perceived or potential conflict of interest between their employee/organisational role and their personal interest. The purpose of this policy is to help employees of Helpful Connexions to effectively identify, disclose and manage any actual, potential or perceived conflicts of interest in order to protect the integrity of Helpful Connexions and manage risk.

## 2. Objective

Helpful Connexions aims to ensure that employees are aware of their obligation to disclose any conflicts of interest that they may have, and to comply with this policy to ensure they effectively manage those conflicts of interest as representatives of Helpful Connexions.

## 3. Scope

This policy applies to the employees and sub-contractors of Helpful Connexions.

### 3.1 Social Work and Conflicts of Interest

A conflict of interest occurs when a social worker's services to or relationship with a client is compromised, or might be compromised, because of decisions or actions in relation to another client, colleague, themselves, or some other third party (Reamer, 1998). Gifis (1991) describes a conflict of interest as a situation where regard for one duty leads to disregard of another (Gifis 1991, in Reamer, 1998, p45). Potential or actual conflicts of interest are very complex situations for social workers, or for any professional for that matter. Conflicts of interest can occur in many different contexts. They may occur in the context of a social worker's relationships with a client/multiple clients in direct practice or could be in the context of a social worker working in management, supervision, policy, research, or community development, to name a few. When faced with a potential or actual conflict of interest, it is important that social workers consider, even if they feel that they can manage the potential conflict or feel that there are no significant issues, the perception that others (clients, colleagues, the community, employers etc.) may have when/if a conflict of interest comes to light. It is important, therefore, that social workers are proactive in discussing any potential/actual conflicts of interests with supervisors or employers so that all possible outcomes and interpretations of actions and situations can be explored. There have been instances where complaints have been made against social workers when they have failed to consider all possible outcomes and failed to consider how a seemingly innocent action could be perceived in quite the opposite way by another person.

## 4. Definitions

### 4.1 Employee

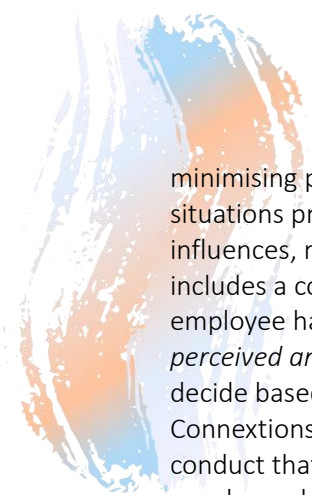
Any person performing work for Helpful Connexions regardless of whether it is paid or voluntary.

### 4.2 Director

A Director of the Company with governance and oversight of Helpful Connexions operations.

### 4.3 Conflicts of interests

A conflict of interest occurs when the private interests of an employee or Director interfere with or influence, or could appear to interfere with or influence, the employee or Director's official work duties and responsibilities. A conflict of interest can involve gaining a personal advantage as well as avoiding or



minimising personal disadvantage. Conflicts of interest can be actual, perceived or potential. These situations present the risk that an employee or Director will decide based on, or affected by, these influences, rather than in the best interests of the organisation and must be managed accordingly. It also includes a conflict between an employee's duty to Helpful Connexions and another duty that the employee has (for example, to another business). *A conflict of interest may be actual, potential or perceived and may be financial or non-financial.* These situations present the risk that a person will decide based on, or affected by, these influences, rather than in the best interests of Helpful Connexions. Therefore, these situations must be managed accordingly so no appearance of improper conduct that might impair confidence in, or the reputation of, Helpful Connexions. Conflict of interests may be real, apparent or potential:

- **Real** - where a direct conflict exists between current official duties and existing private interests.
- **Apparent** - where it appears or could be perceived that private interests are improperly influencing the performance of official duties whether that is the case.
- **Potential** - where private interests are not but could come into direct conflict with official duties.

#### 4.4 Pecuniary (financial) interest

An interest that arises out of the potential to make a financial gain or loss. Including, but not limited to:

- holding shares in a company;
- being a director or secretary of a company;
- being a trustee or holding a beneficial interest in a family or business trust;
- having a financial interest in a business partnership;
- spouse/partner financial interests;
- highly specialised skills which are in demand by external organisations;
- future employment prospects or plans (i.e., post-separation employment); or
- secondary employment.

#### 4.5 Non-pecuniary (non-financial) interest

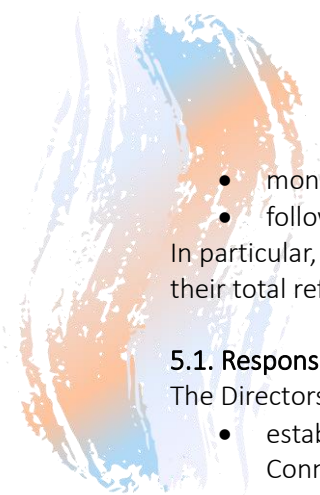
An interest that does not have a financial component. It can arise from personal or family relationships, or involvement in sporting, social or cultural activities. Examples include, but are not limited to:

- an employee being able to make a decision that results in a relative, friend or fellow member of an association obtaining a job transfer, a promotion, a successful employment application, new business contract or other benefit;
- affiliations with for-profit or not-for-profit organisations, sporting bodies, clubs, and associations;
- affiliations with political, trade union or professional organisations and other personal interests;
- obligations to professional, community, ethnic, family, or religious groups in a personal or professional capacity or relationships to people living in the same household;
- significant family or other relationships with customers, contractors or other employees working in the same (or a related) company; or
- dislike of, or competition with, another individual or group.

### 5. Policy

This policy has been developed to address conflicts of interest affecting Helpful Connexions. Conflict of interest are common, and they do not need to present a problem to business as long as they are openly and effectively managed. It is the policy of Helpful Connexions, that ethical, legal, financial or other conflicts of interest be avoided and that any such conflicts (where they do arise) do not conflict with the obligations to Helpful Connexions. Helpful Connexions will manage conflicts of interest by requiring employees to:

- alternative actions to avoid conflicts of interest where possible
- identify and disclose any conflicts of interest
- carefully manage any conflicts of interest

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- monitor the conflict until it is resolved, and
  - follow this policy and respond to any breaches.

In particular, when it comes to referrals of clients, Helpful Connexions will refer no more than 25% of their total referrals to a service within their own company.

### **5.1. Responsibility of the Directors**

The Directors are responsible for:

- establishing a system for identifying, disclosing and managing conflicts of interest across Helpful Connexions
- monitoring compliance with this policy, and
- reviewing this policy on an annual basis to ensure that the policy is operating effectively.

Helpful Connexions must ensure that its employees are aware of the relevant professional codes of ethics and practice standards.

### **5.2. Identification and disclosure of conflicts of interest**

Once an actual, potential or perceived conflict of interest is identified, it must be entered into Helpful Connexions' register of interests. Where every other employee shares a conflict, the Directors should refer to relevant professional code of ethics and practice standards to ensure that proper disclosure occurs. The register of interests must be maintained by the Directors. The register must record information related to a conflict of interest (including the nature and extent of the conflict of interest and any steps taken to address it).

### **5.3 Confidentiality of disclosures**

The Directors of Helpful Connexions will have access to the information disclosed and will restrict access to certain employees and/or those who fulfil specific roles as necessary.

## **6. Action required to manage conflicts of interest**

### **6.1. Conflicts of interest of employees**

Once the conflict of interest has been appropriately disclosed, the Directors must decide whether or not those conflicted employees should:

- vote on the matter (this is a minimum),
- participate in any debate, or
- be present in the room during the debate and the voting.

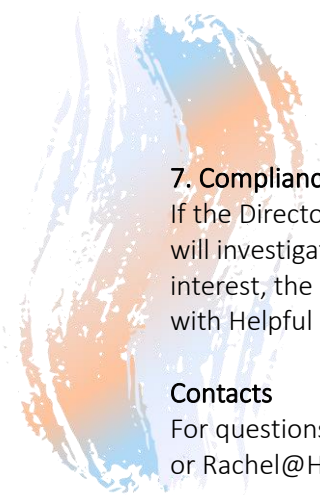
In exceptional circumstances, such as where a conflict is very significant or likely to prevent an employee from regularly participating in discussions, it may be worth the Director considering if it is appropriate for the person conflicted to seek external mediation or legal advice.

### **6.2. What should be considered when deciding what action to take**

In deciding what approach to take, the Directors will consider:

- whether the conflict needs to be avoided or simply documented
- whether the conflict will realistically impair the disclosing person's capacity to impartially participate in decision-making
- alternative options to avoid the conflict
- Mackenzie Social Work Service's objects and resources, and
- the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of, Helpful Connexions.

The approval of any action requires the agreement of at least a majority of the Directors (excluding any conflicted Director) who are present and voting at the meeting. The action and result of the voting will be recorded in the minutes of the meeting and in the register of interests.



## 7. Compliance with this policy

If the Directors have a reason to believe that a person subject to the policy has failed to comply with it, it will investigate the circumstances. If it is found that this person has failed to disclose a conflict of interest, the Directors may act against them. This may include seeking to terminate their relationship with Helpful Connexions.

### Contacts

For questions about this policy, contact the Rachel Hall, Director, Helpful Connexions on 0477 219 122 or Rachel@HelpfulConnexions.com.au

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