

Purpose:

The purpose of this Conflict of Interest Policy is to establish guidelines and procedures to identify, manage and mitigate conflicts of interest that may arise in the course of Able To Wellbeing's operations, including but not limited to its health services. Able To Wellbeing staff are expected to operate professionally and in line with any professional guidelines and regulatory frameworks that may apply.

Scope:

This policy applies to all employees, officers, volunteers, individuals, contracted providers and students associated with Able To Wellbeing who are involved in the provision of any services.

Definition of conflict of interest:

A conflict of interest occurs when an individual's personal interests, relationships, or activities interfere with, or appear to interfere with, their ability to act in the best interests of Able To Wellbeing and to be impartial. A conflict of interest can compromise the integrity of our services, including health services. Able To Wellbeing staff must avoid becoming involved in any situation with Able To Wellbeing or with clients, participants, family or other stakeholders which may give rise to a conflict.

The categories of conflict of interest are:

- *Actual conflict of interest:* a situation where an individual or organisation is currently involved in activities or relationships that may compromise their ability to act in the best interest of Able To Wellbeing.
- *Perceived conflict of interest:* The appearance or perception that a conflict of interest may exist, even if no actual conflict is present. Perception is important, and it is essential to address situations where stakeholders or the public might question objectivity.
- *Potential conflict of interest:* A situation where there is a foreseeable risk that an individual's personal interests, relationships, or activities could compromise their ability to act in the best interests of Able To Wellbeing in the future.

Types of conflict of interest:

- *Financial conflict of interest:* involvement in financial activities that may compromise objectivity in decision-making such as investments, business relationships, or financial interests in entities that may benefit from decisions made by the individual.
- *Personal relationships:* Situations where personal relationships, including familial or close personal connections, may influence decision-making or create the perception of bias.
- *Outside employment or consultancy:* engaging in external employment, consultancy, or business activities that may conflict with the individual's responsibilities and commitments to Able To Wellbeing.
- *Gifts and gratuities:* receiving gifts, favours, or other benefits from individuals or organisations that may compromise objectivity, influence decision-making, or create the appearance of impropriety.

- *Dual loyalties:* situations where an individual's loyalty to another organisation or entity conflicts with their obligations and duties to Able To Wellbeing.
- *Other:* any other situation which could be deemed as a potential, perceived or actual conflict of interest. Wherever staff are unsure, this must be reported to the line manager.

Some examples of conflict of interest include:

- Talking about, participating in, or organising any personal business dealings (which could be clinical, non-clinical, for financial compensation, or non-financial benefits) with a client, particularly when the chance for such transactions arose due to the client's affiliation with Able To Wellbeing. This includes conversations or actions like discussing or facilitating the buying or selling of personal items while visiting a client or delivering of private services that would have normally been offered through Able To Wellbeing to a client outside of your scheduled Able To Wellbeing hours.
- Managing funds, credit or debit cards, cheques or handling money or financial documents belonging to a client and assisting in their financial transactions is prohibited, unless approval has been provided by the client/participant case manager case manager or another member of management and the relevant documentation has been completed to support the safety of the task.
- Relationships with the client/participant, including social or personal and whether with current or past clients/participants.
- Being employed by another employer where the work you may be doing is in conflict with your role at Able To Wellbeing.
- Where you take the belongings of clients/participants to store or look after these items whether on a temporary or permanent basis.
- The delivery of services to clients/participants outside of business hours or contacting clients/participants outside of business hours.
- Using knowledge of internal Able To Wellbeing systems, processes and documents and sharing this knowledge to benefit other third parties. This includes, participating in grants or tender processes.
- Assisting clients/participants to sell items.
- Agreeing or arranging with the client/participant to be listed as an Enduring Power of Attorney, on an Advanced Health Directive or on any other formal documentation relating to a client/participant.
- Having investments with or an interest in organisations which could be in direct competition with Able To Wellbeing.
- Where you receive gifts, money, items from clients/participants or where you provide gifts, money or items to a client/participant.

Disclosure and management of conflict of interest:

Being open, honest and transparent is vital in avoiding conflicts of interest. All individuals or businesses associated with Able To Wellbeing who are involved in the provision of health services, or any other services are required to disclose any potential, perceived or actual conflicts of interest in writing to Able To Wellbeing promptly upon becoming aware of such conflicts.

The line manager or Director will review all disclosures, considering the impact on Able To Wellbeing and compliance with the required legislation. An appropriate course of action will be determined and discussed with the individual or organisation. Any outcomes will be provided in writing, and staff must not continue any action relating to the conflict of interest until the approval is given.

Actions to manage and mitigate conflicts of interest in health services may include, but are not limited to:

- Transparent disclosure to clients/participants or others where required.
- Adjustment of responsibilities to avoid conflicts of interest.
- Recusal from decision-making affecting an individual or organisation's ability to provide services or care.

Confidentiality:

All disclosures and discussions related to conflicts of interest will be treated with the utmost confidentiality and complying with privacy laws.

Legislation:

The relevant legislations or guidelines that apply are listed below. This list is not exhaustive and is relevant as at the time of the development of this Policy. This list may change at any time and will be updated on the next schedule review or sooner where required.

- Health Practitioner Regulation National Law (Queensland)
- National Code of Conduct for Health Care Workers
- National Disability Insurance Scheme Act 2013
- National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018
- National Disability Insurance Scheme (Stakeholder Engagement Framework) Rules 2018
- Aged Care Act 1997
- Aged Care Quality Standards
- Privacy Act 1988
- The various professional codes and statements as developed by the various industry bodies such as nursing, allied health, or the government.

References:

- Australian Health Practitioner Regulation Agency – various codes of ethics and standards.
- Professional bodies for various groups including but not limited to nursing, allied health (physiotherapy, podiatry, speech pathology, dietetics and more).
- Delegations of Authority (yet to be developed)
- Privacy Policy

Review:

This policy will be reviewed in two (2) years' time from the last version date, or should there be any changes to the legislation.

Version History:

Version number	Date	Who	Summary of changes
1.0	11/01/2024	Chief Executive Officer	Creation of Conflict of Interest Policy