

POLICY	CONFLICT OF INTEREST
Related Section	Governance
STATEMENT	
<p>Alkira and the Board of Management is committed to high standards of honesty, integrity and ethical conduct. The Board, Management and Employees are expected to uphold these principles and to avoid or disclose any existing, potential and/ or perceived conflicts of interest in order to maintain the integrity of Alkira and manage any potential risks.</p>	
PURPOSE	
<p>The purpose of this policy is to provide a framework which assists both the Board and employees to effectively:</p> <ul style="list-style-type: none"> • identify, disclose and manage any actual, potential and/ or perceived conflicts of interest, • clarify the roles, responsibilities and definitions regarding conflict of interest, • confirm the obligation to disclose any conflicts of interest, • facilitate compliance and effectively manage the expectations of the policy, • and, minimise the risk, impact, and protect the integrity of Alkira regarding any conflicts of interest. <p>It is the expectation that Board, Management and Employees acting on behalf of Alkira, have a commitment and obligation to avoid ethical, legal, financial or other conflicts of interest, and ensure their actions and interests do not impact or influence their obligations to Alkira.</p>	
SCOPE	
<p>This policy applies to the Board of management and employees of Alkira and is inclusive of any volunteers and/ or visiting service providers.</p> <p>The policy outlines the expectations and accountabilities for identifying and addressing. conflicts of interest</p> <p>The policy does not cover conflict, issues and/ or complaints between two people or the services provided by Alkira. These are covered through the Feedback or Grievances processes.</p>	
DEFINITIONS	
<p>A conflict of interest occurs when a person's personal and/ or professional interests' conflict with their responsibility to act in the best interests of Alkira. These interests may be direct and/ or indirect, and include those of family, friends, or other organisations the person may be involved with. Conflict of Interest can also include a person's obligation and role with Alkira and that of another organisation or duties they have with another organisation or business.</p> <p>A conflict of interest may be actual, potential or perceived and can be of financial or non-financial matter.</p> <p>The outside "interests" present a potential risk the individual involved may make decisions, or be affected by, rather than in the best interests of Alkira, therefore these situations must be appropriately disclosed and managed.</p>	

Where a Board member or employee has a relationship, with a friend or relative who conducts business with Alkira, this needs to be disclosed at the earliest possible moment to their manager, CEO or in the case of the Board, Board of Directors, for a decision on the action/s to be taken. This includes relationships which might reasonably give rise to an impression that the person may place the interests of the other party above the interests of Alkira, such as, a close relationship, house mate and/ or partner.

Where a Board Member or employee is in a position of control or influence with a party which conducts business with Alkira, the position will be discussed promptly with management, CEO, and/ or Board, and the person should not participate in the organisation's consideration of that business.

Examples of conflict of interest could be, but are not limited to:

- When a Board member or employees' immediate family or business interests stands to gain financially from any business dealings, programs or services of the organisation,
- When a Board member or employee offers a professional service to the organisation,
- When a Board member or employee stands to gain personally or professionally from any insider knowledge if that knowledge is used for personal advantage,
- Where a Board member or the ex/officio member of the Board has a role on the governing body of another organisation, where the activities of that other body may be in direct conflict or competition with the activities of Alkira.

PRINCIPLES

1. Board practice

The Board of Directors is the legal representative of the members, exercising a duty of care for the organisation and all its stakeholders. It has the responsibility for establishing and maintaining the ethical conduct of the organisation. The Board and management places great importance on making clear any existing or potential conflicts of interest. All such conflicts of interest shall be declared by the member concerned and documented. A Board or management member who believes another member has an undeclared conflict of interest should specify in writing the basis of this potential conflict. Conflict of interest shall be a standing agenda item at all management meetings.

Action required to manage conflicts of interest of Board members:

- Once a conflict of interest has been appropriately disclosed, the board (excluding the board member/s) must decide whether those conflicted board members should:
 - vote on the matter (this is a minimum),
 - participate in any debate, or
 - be present in the room during the discussion and voting.
- In deciding what approach to take, the board 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,

- and the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of, ALKIRA.

The approval of any action requires the agreement of at least most of the board (excluding any conflicted board member/s) 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 on the register of interests.

Before a Board Member begins their service with Alkira, they shall provide a list of their principal business activities, as well as involvement with other charitable and business organisations, vendors or business interests, and any other associations that might produce a conflict of interest. This information should be documented, filed and remain confidential only to the people directly involved in the decision-making process.

2. Employee practice

When working for ALKIRA, employees are expected to place the interests of ALKIRA before any private interests they may have and are expected to demonstrate this by their actions. Conflicts of interest, and the perception of conflict of interest, should be avoided and if not avoided, declared. Any such disclosures will be held confidentially and may not be considered in the context of their employment other than the avoidance of the declared conflict of interest.

Where an employee may be having a financial interest, personal interest and/ or relationship in any decision in which the employee may influence or be construed as influencing the decision, this must be disclosed to their manager. The manager may issue instructions to the employee regarding relevant workplace matters, raise with Senior Management Team for further action and maintain a record of the conflict of interest with the decision.

3. Service Coordination Conflict of Interest practice

Alkira has been approved as both a registered Support Coordination provider, and as a registered provider of a wide range of other support services under the National Disability Insurance Scheme (NDIS). Alkira is aware of the potential for real or perceived conflict of interest in performing both these roles for an individual.

The NDIS requires that “If a registered support coordination provider is also a provider of other supports received by the participant, then the registered support coordination provider will need to have mechanisms in place for dealing with any conflicts of interest that might arise. These mechanisms would normally involve both policies and administrative procedures.”

To meet this requirement, Alkira Support Coordination has clear and defined processes and practices implemented to avoid any actual or perceived conflicts of interest. Any identified or perceived Conflicts of Interest between service coordination and the recruitment or influencing of participants to access Alkira services, must be reported to CEO for action.

4. Declaring Conflict of Interest

Board, Management and Employee members are required to declare any conflicts of interest prior to the commencement of relevant meetings or as a conflict of interest arises. The nature of this conflict of interest should be entered into the meeting minutes or should also be recorded and maintained for later reference.

5. Conflict of Interest identified or registered

Where a conflict of interest or potential conflict of interest is identified and/or registered, a decision regarding the person’s participation shall be determined and, in most cases, excused from the decision-making process. In the case of a Board member, the person concerned should leave the room as soon as that item comes up for discussion. The concerned Board member shall not vote on that issue, nor initiate or take part in any Board discussion on that topic (either in the meeting or with other Board members before or after the Board meetings), unless expressly invited to do so by unanimous agreement by all other members present.

6. Compliance with Policy

If there is a reason to believe that a person subject to this policy has failed to comply with it, an investigation will be undertaken which may result in action consistent with Disciplinary action processes, seriousness of the breach and the best interests of ALKIRA.

REFERENCES - INTERNAL

- Code of Conduct Policy
- Conflict of Interest Register
- Disciplinary Action
- Fraud and Corruption
- Position Descriptions and contracts
- Privacy and Confidentiality

REFERENCES - EXTERNAL

- None

REVIEW

Alkira at its own discretion reserves the right to change the policy and procedure in line with relevant legislation, organisational needs and review schedule. This document remains current until next reviewed.

If this policy can be improved, please submit a suggestion for improvement to the Quality Department using the [Improvement Matters Form](#) on the Alkira staff intranet or email feedback@alkira.org.au

VERSION CONTROL

Authorised by:	Board of Directors
Policy Owner:	Chief Executive Officer
Date of Approval:	02/07/2021
Next Review Date:	02/07/2024