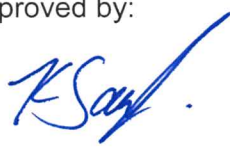




## Conflict of Interest Governance Policy and Procedures

### STATEMENT

The Paraplegic & Quadriplegic Association of South Australia Ltd (PQSA) is committed to ensuring that actions and decisions taken at all levels of the Company are informed, objective and fair. All workers must act in the best interest of PQSA at all times and disclose potential or actual conflicts of interest so they can be appropriately managed.

<p>Approved by:</p>  <p>Board Chairperson</p>	<p>Date: May 2021</p>
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**In this policy, 'us' 'we' or 'our' refers to The Paraplegic & Quadriplegic Association of South Australia Ltd ACN 644 670 977, which is a Company Limited by Guarantee and conducts its business through Lifestyle Support and HomeCare+ services.**

*Please note that printed copies are not able to be controlled and the Shared Drive should always be referred to for the most current version.*

## **SCOPE**

Compliance with this policy is a condition of appointment for all workers engaged to provide services on behalf of PQSA.

## **DEFINITIONS**

Refer to the PQSA Policy and Procedure Definition Glossary

## **RESPONSIBILITIES**

It is our responsibility to communicate our policies and procedures to all workers on a systematic basis. Individual Managers and Supervisors are responsible for monitoring workers' understanding of their obligations and need for compliance with policies and procedures. Workers are responsible for complying with our policies and procedures.

## **POLICY**

Conflicts of interest will be identified and appropriate action taken to ensure personal or individual interests do not impact on PQSA's services, activities or decisions. Management of actual or potential conflicts of interest will assist in safeguarding our clients and PQSA's reputation, integrity and sustainability. Workers should refer to PQSA's *Conflict of Interest – Service Delivery Policy and Procedures* for specific information regarding the disclosure of conflicts of interest to clients.

This policy requires that Board Directors, Committee members, senior staff and all other workers:

- act impartially and without prejudice
- declare any potential or actual conflict of interest
- do not accept gifts or benefits that would influence a decision

This will include situations in which:

- close personal friends or family members are involved, such as decisions about employment, discipline or termination, service allocation or contract management
- an individual or their close friends or family members may make a financial gain or gain some other form of advantage
- an individual is involved with another organisation or offers services that are in a competitive relationship with PQSA and therefore may have access to commercially sensitive information, plans or financial information
- an individual is bound by prior agreements or allegiances to other individuals or agencies that require them to act in the interests of that person or agency or to take a particular position on an issue

It is also the responsibility of The Board to monitor PQSA's Conflict of Interest Register.

# **PROCEDURES**

## **Identification and declaration of conflicts of interest**

All workers are required to declare any potential or actual conflicts of interest they are aware of by informing their supervisor as soon as a conflict becomes apparent:

PQSA Board Directors and Board Committee members are required to declare any potential or actual conflicts of interest under a standing agenda item at the commencement of each meeting. Any potential or actual conflicts of interest that become apparent outside of a meeting must be disclosed to other Board Directors/Committee members and the Company Secretary immediately in writing.

## **Register of conflicts of interest**

The Company Secretary will maintain a register of declared conflicts of interest which will identify:

- the name of the individual
- their position or role in the Company
- the nature of the interest they hold
- the date of record
- any incidents that arise where the interest comes into conflict with the interests of the organisation, the date of the incident and a summary of how it was managed

## **Management of conflicts of interest**

Where a conflict of interest is declared or identified:

### *PQSA Board and Board Committees:*

- The Chairperson and/or the Board Directors/Committee members will assess whether a conflict exists
- The Board/Committee will decide on any action to be taken by the individual; that person may be asked to:
  - contribute to the discussion but abstain from voting or taking part in a decision on the matter
  - observe but not take part in the discussion or decision making
  - leave the meeting during discussion and decision on the matter
- Board Directors/Committee members with a significant and ongoing conflict of interest may be asked to:
  - take leave of absence from the Board/ Committee for the period over which the matter will be discussed and decided
  - resign from the Board/Committee
- Any declaration of conflict of interest will be recorded in the minutes of the Board/Committee meeting along with the action taken.

### *PQSA staff members:*

- The conflict will be assessed by the staff member's immediate supervisor, or in the case of the Chief Executive Officer, the Board Chairperson

- If a conflict of interest exists or there is a perception that a conflict exists, the staff member may be asked to:
  - contribute to the discussion but abstain from taking part in a decision on the matter
  - observe but not take part in the discussion or decision making
  - leave the meeting during discussion and decision on the matter.

### **Staff involvement in external activities**

PQSA encourages and supports staff members becoming involved in community activities and volunteer work in their personal lives. However, it is possible that they may undertake volunteer or professional roles outside the organisation that give rise to a conflict of interest, or a perception of conflict (e.g. undertaking consultancy work for other organisations or government agencies).

As a result PQSA expects that all staff members declare their involvement in external activities related to the work of PQSA when they are employed, and discuss and plan with their supervisor how any potential conflicts of interest can be managed. Staff members taking on other (new) work outside of PQSA need to inform their supervisor.

### **RELATED LEGISLATION**

- ACNC Governance Standards
- Corporations Act 2001
- National Standards for Disability Services – Standard 6: Service Management

### **SUPPORTING PQSA DOCUMENTATION**

- Client - Advocacy Policy and Procedures
- Code of Conduct and Ethical Behavior
- Confidentiality Policy
- Delegation of Authority Policy and Procedures
- Gifts and Donations Policy and Procedures
- PQSA Constitution
- Recruitment Policy and Procedures

### **BREACHES OF THIS POLICY**

A **breach** of this policy is grounds for disciplinary action, up to and including termination of employment. Ignorance of these procedures will not generally be accepted as an excuse for non-compliance. Only in extreme circumstances and where such ignorance can be demonstrated to have occurred through no fault of the individual concerned will PQSA accept such an argument.

If the Board has a reason to believe that a Board Member 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 Board may act against them. This may include seeking to terminate their relationship with PQSA as per the Constitution.

### **DISTRIBUTION AND REVIEW**

PQSA will ensure all persons engaged to provide services either paid or unpaid will be aware of this policy and will have easy access to it in an appropriate format. All policies are to be reviewed on a periodic basis or when legislation or government policy determines.