



## 422 Conflicts of Interest Policy

### 1. Purpose and objective

The purpose of this policy is to help employees and directors of Link Wentworth to effectively identify, disclose and manage any actual, potential or perceived conflicts of interest in order to protect the integrity of Link Wentworth and manage risk.

Link Wentworth aims to ensure that employees and directors 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 Link Wentworth.

### 2. Scope

This policy applies to all employees and directors of Link Wentworth.

### 3. Policy

Link Wentworth is committed to ensuring employees uphold high standards of ethical and professional behaviour and practice and places great importance on the declaration of actual, potential, or perceived conflicts of interest.

A conflict of interest occurs where an individual's private interests have interfered, or have the potential to interfere, with their ability to perform their duties impartially and ethically.

A conflict of interest may involve but is not limited to:

- financial or non-financial interests or gains
- inappropriate use of their position to influence the behaviour of another person to gain a benefit
- acceptance or giving of gifts, bribes, or benefits for services performed during employment
- inappropriate use or sharing of personal, sensitive, or confidential information
- a personal or commercial relationship with another party which has, or may have, dealings with Link Wentworth; or
- an external role, activity or membership.

An '**actual conflict of interest**' refers to a situation where an individual is in a position to, or does, derive a personal gain for themselves, their own business or a person inside or outside of Link Wentworth who is associated with them (eg. a colleague, friend or relative) from actions, decisions or influence made by that individual in their professional capacity for Link Wentworth.

A '**potential conflict of interest**' refers to a situation where there is a risk that it has the capacity to become a conflict of interest in the future but has not yet become one and steps should be taken to mitigate the future risk.

A '**perceived conflict of interest**' refers to a situation where an individual has formed the view that an employee or director's private interests could improperly influence their decisions or actions, now or in the future and requires the appropriate assessment to identify if it is in fact, a conflict or not.



A Link Wentworth employee or director is required to complete a Conflict of Interest Declaration upon commencement of employment or engagement.

Periodically, employees and directors will be asked to disclose any conflicts of interest. However, if at any time an employee or director is aware they have a conflict of interest (actual, potential, or perceived) it must be declared to their manager and Link Wentworth's Manager, Risk & Compliance.

This formal approach to identifying and reporting conflicts of interest supports Link Wentworth's commitment to open, transparent and ethical decision-making practices.

Link Wentworth will take appropriate steps to manage, respond to and record any conflict of interest in a transparent, timely, confidential, and sensitive manner.

A conflict of interest does not necessarily preclude a person from undertaking an activity. In many cases, conflicts of interest can be appropriately eliminated, mitigated, or appropriately managed.

### **Policy specific to the National Disability Insurance Scheme (NDIS)**

Link Wentworth is a registered provider of Specialist Disability Accommodation (SDA) under the National Disability Insurance Scheme (NDIS) and is required to comply with the NDIS practice standards in relation to Conflict of Interest with our tenants.

Procedures are in place for dealing with any conflicts of interest that might arise in the performance of these functions to ensure that governance, management, and operations are transparent and comply with all legislation.

Link Wentworth's specific conflict of interest policy for Specialist Disability Accommodation services is that:

- Representatives will act in the best interests of the participant to ensure they are informed, empowered, and able to maximize choice and control
- Representatives are instructed to always identify to the NDIS participant that:
  - Link Wentworth only manages the SDA of a participant's tenancy under the NDIS.
  - There are other service providers who offer identical or similar supports to Link Wentworth and that it is always the choice of the NDIS participant as to which service provider they choose; and
  - Link Wentworth will offer support to NDIS participants / tenants regardless of whether they self-manage their plan, use the National Disability Insurance Agency (NDIA), or any other registered plan manager.
- Representatives will manage a conflict of interest as they arise in line with NDIA Operational Guidelines and other Link Wentworth policies and procedures
- Employees will notify their manager of any conflicts as they arise and ensure that they are documented
- An employee who believes that another person has an undeclared conflict of interest should raise their concern, as appropriate, with their manager
- Participants can raise complaints using our client feedback procedure or by completing the enquiry form available on the Link Wentworth website, feedback form survey, or verbally to a Link Wentworth Representative
- Representatives will under no circumstances accept any offer of cash or cash equivalents, gifts, services, commissions, or benefits that would cause them to act in a manner against the interests of the participant



- a Gifts & Benefits Policy and Gifts Register as well as a Conflicts of Interest Register will be maintained
- Representatives are required to adhere to the Link Wentworth Code of Conduct and Conflict of Interest Policy to avoid real or perceived conflicts of interest and to record and report any conflicts which may be identified
- a supplementary agreement is in place with Supported Independent Living (SIL) providers to manage any actual or perceived conflicts of interest that arise; and
- the Conflict of Interest Policy is made available to tenants in the language, mode of communication, and terms in which each participant is most likely to understand via Link Wentworth's website.

## 4. Responsibility

**Employees** and **directors** are responsible for declaring actual or potential conflicts of interest and reporting perceived conflicts of interest.

**Managers** are responsible for compliance with this policy and related procedures.

**Representatives** are employees and directors of Link Wentworth.

**Risk & Compliance** is responsible for maintaining the Conflict of Interest Register and providing guidance to all parties involved in conflict of interest procedures.

## 5. Legislative or other applicable frameworks

- NDIS Code of Conduct (March 2019)

## 6. References

- Link Wentworth Code of Conduct
- Conflict of Interest Declaration
- Conflict of Interest Register

## 7. Complaints and appeals

Any staff member who is not happy with a decision made by Link Wentworth or who believes Link Wentworth has not followed this policy may complain or appeal using the Employee Complaints and Grievance Handling Policy and Procedure.

## Approval, Policy Owner and Review Frequency

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|----------------------------------|--|
| Policy type:                     | Board  |
| Executive Leadership Team owner: | Chief Financial Officer                                      |
| Business owner:                  | Manager, Risk & Compliance                                   |
| Ultimate Approval body:          | Board  |
| Review Frequency:                | Every two years or more frequently if circumstances warrant. |

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Approved by – Board