



**Danila Dilba**  
Health Service

## Conflict of Interest Policy

***Danila Dilba Health Service (“DDHS”) aims to recruit the highest level of candidates for all vacancies by providing clear guidance and transparent framework for the recruitment, selection, appointment and promotion of DDHS employees.***

<b>Category</b>	<b>GOVERNANCE</b>	<b>Policy number:</b> DOI002
<b>Related forms, policies and procedures</b>	<ul style="list-style-type: none"> <li>• Code of Conduct</li> <li>• Directors Code of Conduct</li> <li>• Misconduct Policy</li> <li>• Danila Dilba Health Service Constitution</li> </ul>	
<b>Key words</b>	Governance, accountability	
<b>Relevant legislation</b>	<ul style="list-style-type: none"> <li>• <i>Commonwealth Authorities and Companies Act 1997 (Cth)</i></li> <li>• <i>Corporations (Aboriginal and Torres Strait Islander) Act 2006</i></li> </ul>	
<b>References and resources</b>		

<b>Review due by</b>	Executive Officer	April 2016	
<b>Approved by</b>	Chief Executive Officer	March 2015	
<b>Version</b>	<b>Date</b>	<b>Author</b>	<b>Summary of changes</b>
2.0	16/3/15	O. Havnen	Change of reference from Company Secretary to Executive Officer.

# CONFLICT OF INTEREST POLICY

## 1. Purpose

This policy outlines how the Danila Dilba Health Service (DDHS) manages and documents conflicts of interest within the organisation.

A written conflict of interest policy is a key part of meeting governance and accountability requirements - how we run our organisation well on behalf of the community.

## 2. Overview

Conflicts of interest may arise when DDHS staff or Directors are influenced, or appear to be influenced, by personal interests when undertaking their role. The perception of a conflict of interest can be as damaging as an actual conflict, as they both undermine public confidence in the integrity of the organisation and its staff or Directors.

Conflicts of interest are considered to arise between staff or Directors and any other person or organisation with whom DDHS has any form of relationship when:

- the relationship is personal or family based
- the relationship has a financial nature
- when DDHS people (staff, Board members) are in a position to receive any material benefit, apart from benefits received or payments made to, or by, the DDHS as part of its normal business.

Both external and internal parties have a need for clear information and action in relation to DDHS activities. DDHS people should both be, and appear to be, free of any interest (financial or otherwise) that might be regarded as being in conflict, or incompatible with, their integrity and impartiality.

It is just as important to deal with the perception of conflict of interest in the same way to ensure that no misconceptions occur in the workplace or the community.

DDHS staff and Directors are required to act professionally in all aspects of their duties. As such, they should recognise, and if possible avoid, any situations that may affect their integrity and objectivity by being cautious of undue benefits or preferential treatment received in the course of their employment.

## 3. Scope

Conflicts of interest generally fall into two categories:

- **Pecuniary interests** - which involve an actual or potential financial gain
- **Non-pecuniary interests** - which do not have an apparent financial component but may involve familial and/or close personal relationship(s).

There are a number of areas where such a conflict of interest may arise. For example, these include but are not restricted to:

- staff recruitment - both 'formal' and 'informal' processes
- secondary employment - both as member and as business owner
- post-separation dealings - former staff
- receipt of gifts, benefits and hospitality
- supervision of staff or students
- research activities
- performance management
- procurement - tendering and purchasing
- misconduct / discipline
- external activities / public comment.

An individual staff member or Director may often be the only person aware of the potential for conflict. It is their responsibility to avoid any financial or other interest that could compromise the impartial performance of their duties, and to disclose any potential or actual conflicts of interest to their supervisor, manager, CEO, Chairperson or Company Secretary.

No DDHS staff or Director may directly or indirectly attempt to, or actually, influence benefits provided to, or likely to be provided to, a person or organisation with which they hold a conflict of interest.

No DDHS staff or Director may directly or indirectly attempt to, or actually, receive personal benefits from a person with whom they hold a conflict of interest.

If DDHS staff or Directors are uncertain whether a conflict exists, they should discuss the interest with their manager and try to resolve any conflicts of interest that may exist.

**All DDHS staff and Directors must declare all current and prospective conflicts in writing to their supervisor on the *Declaration of Interest Form*.** Sufficient detail must

be provided so that the manager, CEO, Chairperson or Executive Officer can put in place any necessary arrangements to ensure that no conflict arises.

**A Declaration of Consent** must also be signed by relevant immediate/extended family members to allow DDHS to collect information on their personal, financial and other interests.

This declaration is to be completed by the immediate/extended family member/s of the employee should circumstances arise in which the employee considers that the personal, financial and other interest of the family member/s could, or could be seen to, influence the decisions they are taking or the advice they are giving.

Copies of the *Declaration of Interest* and *Consent* forms will be placed on the *Conflict of Interest Register* and the staff member's or Director's confidential file.

**To resolve any conflicts of interest** that occur, or could occur, a range of options is available depending on the significance of the conflict. These options include:

- recording the details of the disclosure and taking no further action because the potential for conflict is minimal, or can be eliminated by disclosure or effective supervision
- the DDHS person giving up the personal interest
- the DDHS person being removed from the task/activity/situation where the conflict could occur.

Where DDHS is alerted to a conflict of interest that has not been declared, depending on the reasons for the non-disclosure and the seriousness of the allegation, the person concerned will either be warned of their responsibilities under this policy, or disciplinary action may be taken.

Disputes over alleged conflicts of interests may be resolved through DDHS's grievance policy.

#### **4. Procedures**

**A Declarations of Interests form** must be completed by all job applicants and **submitted together with their written application**. Job applicants must disclose any familial (immediate and extended family - cousins, niece, nephew, aunt, uncle, in-laws) that the applicant may have with a current member of staff and/or Board.

In addition to an initial declaration of any potential conflicts of interest at the beginning of a

Recruitment and Selection process all new employees and staff are also required to declare any conflicts that they become aware of for themselves or others during their employment with DDHS.

In addition to an initial declaration of any potential conflicts of interest at the beginning of a **Director's** tenure with DDHS, Directors are also required to declare any conflicts that they become aware of for themselves or others during their directorship with DDHS.

Any current or prospective conflict of interest that arises, or cannot be avoided, must be formally declared to DDHS.

All such disclosures should be fully documented on the *Declaration of Interest Form* and sent in the first instance to the staff member's line manager or Chairperson of the Board for Directors.

Where a potential conflict of interest has been identified, the line manager or Chairperson, in conjunction with the DDHS person or Director, will determine the appropriate action/s to be taken to address the particular conflict.

The *Declaration of Interest Form* is then sent to the CEO for final approval of the actions to be taken.

Any further action required will then be implemented under the direction of the CEO.

A copy of the *Declaration of Interest Form* will be then sent to the Executive Officer for filing in the *Conflict of Interest Register* and a copy will be placed in the confidential staff personnel record.

## **5. Conflict of Interest Register**

The *Conflict of Interest Register* enables DDHS to maintain a central record of all declared conflicts of interest. The Register is used to record the following information:

- the name of the person declaring the conflict of interest
- the nature of the conflict of interest.

The *Conflict of Interest Register* is maintained by the Executive Officer.

The Register may only be used for the purpose of determining whether the risk of a potential conflict of interest has been appropriately managed by the area concerned, and is kept privately.