|  |
| --- |
| ***POLICY AND PROCEDURE – HR001.18******EMPLOYEE CONFLICT OF INTEREST*** |

**POLICY STATEMENT**

The policy and procedure outline the principles for the declaration and management of any actual, potential or perceived conflicts of interest by Community Connection employees.

All employees when performing their duties are required to act in good faith towards the organisation and where conflicts of interest do arise, to manage those conflicts appropriately in accordance with these principles:

* to protect Community Connection’s interest ensuring that all decision making is impartial and objective;
* to protect the reputation of Community Connection by maintaining ethical standards of good judgement, fairness and integrity in all its dealings;
* to ensure that employees always observe the highest standard of professional ethical conduct; and
* to avoid any activity or interest that might reflect unfavourably upon an employee’s own integrity and good name, or upon the integrity and good name of the organisation.

*Identifying Conflicts of Interest*

*General Conflicts of Interest*

Whilst it is not possible to set out a definitive list of instances, conflicts may arise through:

* Conflict of roles - Where employees have a similar role in a different organisation, it may be difficult to keep their roles separate;
* Private interests - A conflict of interest can arise from avoiding personal losses as well as gaining personal advantage;
* Personal relationships - Employees should not be involved in decisions affecting the employment of a person with whom the employee has a current or previous personal relationship; or
* Personal benefits - A conflict of interest may occur where an employee receives a benefit which is, or may be perceived as, an incentive or inducement to perform tasks which are outside of their position description.

*Areas of High Risk*

The following activities or actions are situations where actual, potential or perceived conflicts of interest may commonly arise:

* Purchasing goods or services for Community Connection where the decision maker has a relationship with the supplier or an employee of the supplier;
* Decisions regarding recruitment, appointment, promotion or other personnel where personal relationships exists with one or more party/s;
* Being provided inappropriate access to, or use of, Community Connection documents and information obtained in the course of employment;
* Inappropriate use of intellectual property including but not limited to misuse of intellectual property rights by employees;
* Inappropriate use of Community Connection resources and/or equipment for personal benefit or the benefit of a third party.

*Employees and Conflicts of Interest*

Community Connection has identified the following circumstances as being indicative of circumstances which will or may give rise to potential or actual conflicts of interest requiring disclosure under this Policy:

* Outside interests including but not restricted to:
* A contract, consultancy or transaction between Community Connection and a family member;
* A personal relationship with a fellow co-worker of Community Connection where a decision affects or is likely to affect that person;
* Gifts, gratuities and entertainment e.g. received from a third party who has, or may reasonably be considered to have, an interest in the outcome of a decision of Community Connection.

*Avoidance and Disclosure of a Conflict of Interest*

Where any actual, perceived or potential conflict of interest cannot be avoided, the Operations Manager and/or the Strategic Manager is obligated to recognise, declare and manage situations involving conflicts of interest.

*All Employees of Community Connection are to:*

* Follow the ethical standards of conduct expected of Community Connection as set out in Policy HR001.23 - Code of Conduct, as appropriate;
* Restrict the extent to which a third-party interest could compromise, or be seen to compromise, their impartiality when carrying out their role as per the Position Description;
* Avoid action in which the employee could be seen to have an improper advantage from confidential/privileged information they might have access to because of their role with Community Connection;
* Ensure that any employee from Community Connection does not use their position or the organisation’s resources for private personal gain or gain by others with whom the employee has a relationship or personal association;
* Ensure that there can be no perception that they have received an improper benefit that may influence the performance of their position title; and
* Ensure employees do not take improper advantage of their position title or confidential/privileged information gained in that position when seeking employment outside of Community Connection, or provide such advantage to others with whom they have an association.

*Managing a Conflict of Interest*

An employee is to report the conflict in writing to their line manager using a Declaration of Conflict of Interest. Where a conflict of interest arises during a meeting the employee is to declare the conflict verbally, which must be noted in the minutes of the meeting, and then subsequently in writing to their line manager using a Declaration of Conflict of Interest as soon as practicable after the meeting.

A Conflict of Interest Register will be maintained by the Human Resource Coordinator. The register will contain copies of the Declaration of Conflict of Interest, with a signed copy placed on the employees personnel file. Access to the register is restricted to those employees who need it for official purposes.

*Confidentiality*

Confidentiality will be maintained at all times by all persons involved in the notification and management of conflicts of interest to ensure that confidential disclosures are protected from misuse.

Community Connection acknowledges that employees may seek advice on matters relating to this policy from their Line Manager or the Human Resource Coordinator.

Records of any notification of conflicts of interest will be maintained in an approved and secure recordkeeping system, in accordance with the Information Privacy Act 2009.

*Principles*

Community Connections will act in the way that is most likely to promote the organisation’s interests. All employees must act in good faith in avoiding both actual or potential conflicts of interest and the perception, whether founded or not, of a conflict of interest between the interests of Community Connection and their own personal, professional and business interests.

To this end:

* A Conflict of Interest Register will be maintained by the Human Resource Coordinator to record all of the relevant conflict of interests of employees;
* All actual, potential or perceived conflicts of interest of employees must be declared by employees where any matter is discussed involving a relevant conflict;

Community Connection has adopted six major options for managing conflicts of interest

* Register: All conflicts of interest are registered regardless of the management strategies adopted;
* Restrict: Restrictions are placed on an employees’ involvement in a matter (e.g. refraining from taking part in discussion and/or decision making; having restricted access to sensitive documents or confidential information);
* Recruit: A disinterested third party is used to oversee part or all of the process that deals with the matter;
* Remove: The employee removes themselves from any involvement in the matter (e.g. absenting oneself from discussion and decision making);
* Relinquish: The employee relinquishes the private interest that is creating the conflict; and/or
* Resign: The employee resigns from their position or removes themselves from the matter/or the issue creating the conflict of interest.

Community Connection recognises that conflicts of interest do and will occur. This Policy deals only with how those conflicts are handled and the disclosure of interests, and actual, potential or perceived conflicts of interest.

Framework

* Each employee, must, upon appointment and during induction, be provided with a copy of this policy.
* Employee Conflict of Interests Register must be held and maintained by the Human Resource Coordinator.
* All entries in the Employee Conflict of Interests Register must be treated as highly confidential. No personal information will be disclosed except to the extent necessary to implement this Policy.
* Employees have an ongoing obligation to notify their Line Manager or the Human Resource Coordinator of relevant interests or relationships as they arise that the employee becomes aware may reasonably be expected to be, or result in, a conflict of interest.

Privacy

Recording and reporting conflicts of interest (actual, potential or perceived) may involve the collection, storage, use or disclosure of personal information. Any personal information collected, stored, used or disclosed under this Policy will be handled according to the *Retention and Disposal of Files and Electronic Records Policy and Procedure.*

Public Interest Disclosures

If an employee has knowledge that a conflict of interest may exist that may not have been disclosed, they should discuss the situation with their Line Manager or the Human Resource Coordinator.

*Failure to Comply*

A failure to comply with this Policy and any accompanying procedures may constitute a breach of Community Connection’s *Code of Conduct Policy and Procedure* and may be dealt with as misconduct or serious misconduct in accordance with *Effective Complaint/Dispute Resolution Policy and Procedure.*

**RESPONSIBILITY FOR IMPLEMENTING POLICY AND PROCEDURE**

Board members and the Management Team

**RELATED POLICIES, PROCEDURES AND GUIDELINES**

*Human Services Quality Framework*

Human Services Quality Standard 1 – Governance and Management

* Human Services Quality Standard 5 – Feedback, Complaints and Appeals
* Human Services Quality Standard 6 – Human Resources
* HR001.4 – Dignity at Work
* HR001.5 – Employee Grievances
* HR001.6 – Employee Misconduct and Discipline
* HR001.13 – Employee Privacy
* HR001.19 - Position Description and Position Title
* HR001.20 – Code of Conduct

**RELATED LEGISLATION**

* Information Privacy Act Queensland (2009)
* Workplace Health and Safety Act (2011) QLD
* Industrial Relations Act (2016) QLD
* Anti-Discrimination/Equal Opportunity Act (2009) QLD.

|  |  |
| --- | --- |
| **DATE OF BOARD ENDORSEMENT** | 06/02/2019 |
| **LAST REVIEW DATE** | 06/02/2019 |
| **NEXT REVIEW DATE** | This policy and procedure will be reviewed on an 18-month basis.  However, if at any time the legislative, policy or funding environment is so altered that the policy is no longer appropriate in its current form, the policy and procedure will be reviewed immediately and amended accordingly. |