

NDS Quality and Safeguards Sector Readiness Project

Conflict of Interest Policy Checklist

This checklist contains elements of a policy to guide Conflict of Interest. This policy checklist is general in nature and is intended to be used as a guide. It provides information and examples to consider, and handy tips and links to other resources to help make the development of your policy easier.

Use it to identify where your own policy could be improved or as a guide to the development of a policy. Consider the size and scope of your organisation along with the supports and services you provide when developing your policies and procedures.

This checklist has been designed for providers delivering the Core NDIS Practice Standards.

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Establish your organisational commitment to actively manage conflict of interest.

This could include a statement about your organisation's commitment to:

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- Actively manage real, possible, and perceived conflicts of interest** that have the potential to negatively impact or influence services and provide safe and high-quality supports.

 - Exercise good governance to prevent and resolve conflicts** relating to personal interest and work or volunteering commitments.

 - Identify, declare, record and manage real, possible or perceived conflicts** which may be naturally occurring.

 - Comply with any operational guidelines or instructions** about conflict of interest from the funding agency. For example, the Core NDIS Practice Standards related to conflict of interest are Provider Governance and Operational Management and the NDIS Code of Conduct.
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State who the policy applies to and who is responsible for it.

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- Include workers at all levels of your organisation** and others who have interactions with your organisations such as contract and agency workers.

 - Include what your organisation's expectations of all workers are** in relation to adhering to your policy and any associated procedures.
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Identify the values and principles behind the policy position, this could include:

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- The values of the organisation and expectation of its workers:** For example, that the organisation expects all of its workers to act in the best interests of people with disability and protect from harm or disadvantage, due to real or possible or perceived conflicts of interest.
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The rights of people with disability: Such as the right to make informed decisions about services free of influence, the right to know about any real, possible, or perceived conflict of interest that does, or may, affect their services and the right to receive information using their preferred method of communication.

The behaviour of the organisation, for example:

- that no person with disability will be given preferential treatment above another in accessing or using the organisation's supports
- supporting a person's ability to exercise choice and control of the supports and services they use by providing people with transparent, unbiased advice about support options available to them (including services not delivered by the organisation)
- recording, monitoring and reviewing the business relationships and activities for sharp practice or potential future conflicts.

The behaviour of workers: For example, not seeking or receiving any personal benefit as a result of their work, including gifts or rewards.

Include definitions which have meaning for this policy or have a need for some interpretation, some examples could be:

Conflict of interest: When a person working for, or with an organisation has the potential to gain personal advantage or benefit from their work, or to be influenced in the way they do their work.

Personal interest: Refers to a person's own interests and those of their family and friends and/or any organisations they support or are involved with.

Benefit: Any product, service, or advantage given to a person due to their work. This can include money, gift cards, gifts, discounts, or favourable treatment.

You could also consider including:

- The relevant policies, procedures or other documents** that this policy relates to. This will make it easier to update relevant material when this policy is reviewed.
- The relevant legislation, policy, guidelines, or other material** that directly relates to the policy.
- Approval and review dates.**
- Who is responsible:** The title and/or the signature of the authorising person.

References

- National Disability Insurance Service (2021) Provider legal requirements Accessed at [Am I ready to become a provider? Legal requirements and eligibility.](#)
- National Disability Insurance Scheme (2022) SDA Terms of Reference accessed at [Specialist Disability Accommodation Reference Group Terms of Reference 2021.](#)
- NDIS Quality and Safeguards Commission Code of Conduct accessed at [NDIS Code of Conduct Guidance for Service Providers March 2019.](#)
- National Disability Insurance Scheme (2021) Consultation Paper – Supporting you to make your own decisions accessed at [Support for Decision Making Consultation.](#)
- National Disability Insurance Scheme (2020) Improving outcomes for SIL participants accessed at [Improving outcomes for Supported Independent Living \(SIL\) participants: Provider and Sector consultation paper Sept 2020.](#)
- National Disability Insurance Scheme (2020) Guide to Plan Management accessed at [NDIS Plan Management.](#)

Please note: This resource was reviewed in May 2023 by the NDS Quality and Safeguards Sector Readiness Project. The resource is general in nature and is provided as a guide only. NDS believes that the information contained in this publication is correct at the time of publishing, however, NDS reserves the right to vary any of this publication without further notice. The information provided in this publication should not be relied upon instead of other legal, medical, financial, or professional advice. Please always refer to online documents for the latest versions including the NDIS Practice Standards and advice to providers on the Code of Conduct.