



## Summary of Policy

The purpose of this policy is to provide employees with a framework by which to ensure conflicts of interest are identified, disclosed and appropriately managed to mitigate risk to Beloved Care, customers and employees.

### 1. Preamble and Purpose

All persons employed by Beloved Care Centre owe a duty of fidelity to Beloved Care. Employees must never place themselves in a position where their self-interest may conflict with this duty. Any employee who breaches this policy is subject to disciplinary action, up to and including termination of their contract of employment.

### 2. Policy Statement

All employees of Beloved Care are required to comply with the following: Employees owe a duty of loyalty and fidelity to Beloved Care Employees are expected to perform their duties on behalf of Beloved Care faithfully, diligently and to the best of their abilities.

Employees must never allow themselves to be placed in a position where their personal interests are in conflict (or could be in conflict) with the interests or business of Beloved Care.

Employees must avoid any situation or activity that compromises, or may compromise, their judgement or ability to act in the best interest of Beloved Care services. Where a conflict of interest has been identified as having the potential to impact on an employee's ability to carry out, or be seen to carry their official duties impartially and in Beloved Care interest they must be given a copy of this policy and they will be required to complete Conflict of Interest Disclosure Form. Once actioned by the program Manager and signed off by the program General Manager the form is to be place on the employees electronic and hard copy Personal File.

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Using the form employees must promptly disclose to Beloved Care material information regarding any relationship, ownership or business interest (other than noncontrolling investments in publicly-traded corporations), whether direct or indirect, that the employee or a member of his/her immediate family has with any person, or in any business or enterprise, that:

- competes with Beloved Care; or
- sells or purchases, or seeks to sell or purchase, goods or services to or from Beloved Care.

Upon disclosure of the information described above, Beloved Care services will take appropriate action to protect against any actual or potential conflict of interest. Such action may include:

- requiring the employee to refrain from being involved in any decisions made by Beloved Care services regarding its dealings with such person, business or enterprise; or
- requiring the employee to refrain from being involved in any dealings on behalf of Beloved Care services with such person, business or enterprise; or
- requiring the employee to dispose of his/her interest in such business or enterprise if he/she wishes to remain in Beloved Care services's employ.

Employees must refrain from engaging in conduct that could adversely affect Beloved Care business or reputation. Such conduct includes, but is not limited to:

- publicly criticising Beloved Care, its management or its employees; or
- engaging in criminal conduct or other behaviour that could harm Beloved Care service's business or reputation.

Employees must never accept any gifts of other than nominal value (less than \$50), or personal payments of any kind, from any person or business enterprise that:

- competes with Beloved Care services; or
- sells or purchases, or seeks to sell or purchase, goods or services to, or from, Beloved Care services.

Gifts over this value must be declared to the General Manager of the department or the CEO. In the case of a gift of entertainment or a meal this must be approved prior to the activity taking place.

Employees must be conscientious and scrupulous in their handling of funds and property belonging to Beloved Care services and must always avoid any form of financial impropriety.

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Employees must not use, or permit the use of, organisation property or resources for anything other than approved organisation business or activities. Examples of unauthorized use would include using organisation computers or photocopiers for personal purposes.

Employees must disclose any familial or other relationship where they are in a decision-making capacity in relation to that party.

**As per your contract:**

**Confidentiality**

Employees must comply with Beloved Care Service’s Declaration of Confidentiality.

**Intellectual Property**

You acknowledge that all inventions, designs, trade secrets, software, data bases and know-how made by or produced by your labour or effort during your employment, belong to and vest in the Organisation. To the extent that you might have any moral rights in such property, you hereby waive those moral rights.

**Exclusivity**

Without limiting your responsibilities and duties as per your contract, you must not (during or outside working hours):

- act in conflict with the Organisation’s best interests;
- compete, prepare to compete or be involved with competing against the Organisation unless you have obtained specific written permission from the Organisation to that effect;
- perform work for yourself or any other person unless you have obtained specific written permission from the Organisation to that effect;
- refer any business of a type performed by the Organisation to any external party unless you have obtained specific written permission from the Organisation to that effect.

**Post-Employment Restraint** (where applicable)

The employee agrees that, following the cessation of employment with Beloved Care Services, the employee must not, without the written permission of the Chief Executive Officer of Beloved Care Services:

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1. Participate, in any capacity, in competition with our business
2. Canvass, or solicit the business of, or maintain any personal records of, any customer of our business;
3. Work as a designer of assistive technology & equipment within Western Australia; and
4. Work for a direct competitor of Beloved Care Services for a period of six months

Should this clause be breached Beloved Care services shall be entitled to pursue legal remedies.

You do not, as employee, have an entitlement to receive any permission referred to above. Any permission will be considered by the Organisation on a case-by-case basis and in the sole and absolute discretion of the Organisation

### **3. Principles**

The Principles of this policy align with the values of Beloved Care Service's Strategic Plan

- Excellence
- Choice
- Integrity
- Courage

### **4. Relationship to National Standards for Disability Services**

This policy relates to National Standards for Disability Services standards. The integrity of employees and hence the organisation are key in meeting the requirements of the National Standards.

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## Conflict of Interest Disclosure Form

Staff-in-confidence (When completed) Annexure A

Given name/s:	
Surname:	
Position:	
Division & Program:	
Managers Name:	

**Describe the private interests that have the potential to impact on your ability to carry out, or be seen to carry out, your official duties impartially and in Belovedcare Service's interest.**

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**Describe the expected roles/duties you are required to perform.**

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**The conflict of interest has been identified as (Please tick one or more of the following):**

- Non-pecuniary interest
- A real conflict of interest
- An apparent conflict of interest
- A potential conflict of interest
- Pecuniary interest

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**Please explain how you will mitigate the potential conflict of interest:**

**Employee Declaration**

1. I declare that the above details of my private interests are correct to the best of my knowledge and am aware of my responsibilities to take reasonable steps to avoid any real or apparent conflict of interest in connection with my public service employment and to advise my manager of any relevant changes in my personal circumstances.

2. I have been provided with and read the Conflict-of-Interest Policy and agree to abide by the statements contained therein.

Full name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Action by manager: \_\_\_\_\_

**Describe the action proposed to mitigate the real or perceived conflict which has been disclosed and the reasons for the decisions:**

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Version 1.0	Review Date	10/11/2023

**The above action has been discussed with the employee and is appropriate to resolve the real or apparent conflict of interest disclosed above**

Signature of General Manager: \_\_\_\_\_ Date: \_\_\_\_\_

Employee Endorsement: \_\_\_\_\_ Date: \_\_\_\_\_

**When finalised this form is to be forwarded to HR to be placed on the employee's personnel file (electronic and hard file).**

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