

SPECIAL DISABILITY ACCOMODATION CONFLICT OF INTEREST POLICY AND PROCEDURE

Definition, Purpose and Scope

The purpose of this policy and procedure is to set out how KinKera Community (**KinKera**) manages conflicts of interest in an open and transparent manner. It applies to all staff and meets relevant legislation, regulations, and standards.

As a registered provider of special disability accommodation (**SDA**) under the National Disability Insurance Scheme (**NDIS**), KinKera has responsibilities in relation to:

- managing conflicts of interest generally;
- managing conflicts of interest in the provision of SDA: and
- offering or receiving gifts, benefits and commissions.

Under the NDIS, a conflict of interest is defined as any circumstance where the interests of a service provider constrain a participant's right to exercise choice and control over their NDIS services.

Managing conflicts of interest generally

The NDIS terms of business for registered providers¹ require providers to have procedures about potential conflicts of interest in service delivery. When providing SDA, KinKera and its employees:

1. will declare any conflict of interest and mitigate any risks to the participant;
2. will act in the best interests of participants and other clients, ensuring that participants are informed, empowered and able to maximize choice and control;
3. will not (by act or omission) constrain, influence or direct decision-making by a person with a disability and/or their family so as to limit that person's access to information, opportunities, and choice and control;
4. will ensure that any conflict of interest, perceived or actual, are proactively managed;
5. will manage, document and report on individual conflicts as they arise;
6. will provide information about conflicts of interest to participants, their families and carers in a variety of ways. This includes via KinKera's website, handbooks and brochures. Written information can be provided or explained in different languages (if requested), Easy English or explained verbally by employees. Participants can also request interpreters where required;
7. will consider whether they have any personal or private interest in the matter that may conflict or be perceived to conflict with their duties to the participant or KinKera;
8. will consider whether there could be a benefit for them, their family or their friends (whether current or in the future) if they are involved in a particular matter;
9. will consider how their involvement will be viewed by others; and
10. will consider whether their involvement in a decision being made appears fair and reasonable.

¹ Effective 1 July 2016, updated January 2020

Managing conflicts of interest in SDA

KinKera and its employees will ensure:

1. a tenancy is not made conditional on a participant's other support service decisions;
2. a participant has access to information about their available supported independent living services options;
3. the participant is supported to understand the distinction between the provision of SDA and other NDIS supports delivered by other service providers at the SDA;
4. that a participant understands that they have the right to separate delivery of SDA and in home support services;
5. that the participant's housing rights, including security of tenure, are upheld, irrespective of any decisions the participant makes about the provision of other NDIS supports within the SDA; and
6. ensure that participants who are required to share supports, such as overnight onsite assistance, understand their right to exercise choice and control over their support services and their options for changing their support arrangements.

Gifts, benefits and commissions

KinKera and its employees must not accept any offer of money, gifts, services or benefits that would cause them to act in a manner contrary to the interests of a participant. Employees must also ensure they have no financial or other personal interest that could directly or indirectly influence or compromise the choice of provider or provision of supports to a participant. This includes the obtaining or offering of any form of commission by employees or KinKera.

Procedures

Conflicts of interest should be avoided where possible. Where a conflict is unavoidable, employees must declare it to the General Manager as soon as practicable after they become aware of the actual or perceived conflict. Employees who are uncertain about whether a conflict of interest exists should seek advice from the General Manager before proceeding.

Once a conflict of interest has been declared, the General Manager must decide what action to take to manage it. Conflicts of Interest must be recorded and monitored in KinKera's Risk Register.

Supporting Documents

Documents relevant to this policy and procedure include:

- *Risk Register*

Monitoring and Review

This policy and procedure will be reviewed at least annually by the General Manager. Reviews may, where relevant, involve obtaining feedback from staff, participants and other stakeholders.

KinKera's Continuous Improvement Register will be used to record improvements identified and monitor the progress of their implementation. Where relevant, this information will be considered as part of KinKera's service planning and delivery processes.

DOCUMENT CONTROL

Version No.	Issue Date	Document Owner
1	13 October 2020	Adam Yeomans
Version History		
Version No.	Review Date	Revision Description
2	28 August 2023	Updated to reflect requirements under NDIS Practice Standards and Code of Conduct
3	13 May 2026	