



Conflict of Interest Policy (Version 6.0)

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1. Introduction

Conflicts of Interest occur where staff members with a particular interest could be influenced, or might appear to be influenced, in the performance of their duties. Staff members are required to disclose and obtain evaluation of any conflict of interest.

This Policy outlines the process for the identification and management of actual, potential or perceived conflicts of interest, and the management of conflicts of commitment.

While conflicts of interest are not wrong in themselves, and indeed cannot always be avoided, the potential for a conflict of interest exists in all aspects of Community Housing Limited's operations, including assessment, selection, staffing, administration, and commercial activity. With increasing links between CHL and other organisations, companies and government departments, it is important that staff members act, and are seen to act, with integrity and are not inappropriately benefited by improperly using their position at CHL.

2. Scope

The Policy applies to all Community Housing Limited Group of Companies (CHL) staff members, volunteers and at all times while engaged in CHL business or otherwise representing CHL.

3. Definitions

Actual conflict of interest	A real conflict between current duties and responsibilities and existing private interests.
Associate	An associate may be: (a) a spouse, sibling, parent or child or other family member or a person ordinarily resident in a staff member's household (b) an entity of which a staff member or a staff member's nominee is a shareholder, member or officer (c) a business partner (d) an employer (e) any other person or entity who could be advantaged (directly or indirectly) by the improper use of a staff member's position at CHL or information acquired by the staff member because of that position.
Conflict of commitment (or dual interests)	May arise where an individual has multiple and incompatible commercial duties. This may occur, for example, when a staff member has a role with another organisation in addition to their CHL duties. Staff members may have involvements with external organisations such as serving on a board or committee. This can often result in dualities of interest or obligation with respect to CHL and the other organisation. Also referred to as dual interests.
Conflict of Interest	Arises when a staff member's personal interests, or those of a person with whom they have a close personal relationship, conflict with their primary obligation to act in the interests of CHL. A conflict of interest may be actual, perceived or potential. It can be pecuniary (involving financial gain or loss), or non-pecuniary (based on enmity or amity) and can arise from avoiding personal losses as well as gaining personal advantage, financial or otherwise. Conflict of interest includes conflict of commitment.
Financial (or pecuniary) interest	Any right, claim, title or legal share in something having a monetary or equivalent value. Examples of financial interest include but are not limited to the right to receive remunerations such as salary, consulting fees, allowances, discounts and the like.
Perceived conflict of interest	Where a reasonable person might perceive that such improper influence as described in the Conflict of Interest Policy could exist.
Personal relationships	Either family, friend or other intimate relationship
Potential conflict of interest	Where a conflict may arise in the future between current or future duties and responsibilities and existing or future private interests.
Private (or personal) interests	Refers to any interests that involve potential gain or loss (financial or non-financial) for an individual or for any other person or organisation that individual may wish to benefit (e.g. family, friends, associates) or disadvantage (e.g. competitors, rivals).

Responsible Officer	For the purposes of this procedure, a Responsible Officer includes the Chief Financial Officer, General Manager of Corporate Services, and Head of HR.
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4. Aim

The purpose of this policy is to:

- inform employees of CHL policy regarding conflicts of interest
- assist employees of CHL to identify situations in which a conflict of interest may arise
- provide guidelines and assistance to employees to avoid or deal appropriately with conflicts of interest
- outline the consequences of a failure to avoid or deal with conflicts of interest
- outline the process for reporting and resolving an actual, potential or perceived conflict of interest.

5. Principles

5.1. Policy Statement

CHL has a responsibility to ensure that its official activities and those of its staff conform to acceptable standards of integrity and good conduct. It recognises that a well-established system for identifying, declaring and managing conflicts of interest increases CHL's accountability and reduces the risk of corruption, misconduct and bias in its operations and decision-making processes.

5.2. CHL also recognises that conflicts of interest are not unusual and cannot always be avoided.

CHL expects:

- Staff members will not allow their external, personal or financial interests or their duties to any external entity to compromise their duties, obligations and responsibilities to CHL.
- All conflicts of interest, regardless of their character or level, will be identified, declared and managed.
- Any gifts/donations/benefits/hospitality or service will not be accepted by staff members if it might be reasonably interpreted as intended to influence current or future behaviour of staff or an individual Senior Manager (refer to the Receiving Gifts and Benefits Policy). Independence is a paramount consideration and should be made clear to potential suppliers/vendors or other external parties.
- Where a conflict of interest occurs, the interests of CHL will be balanced against the interests of the staff member. Unless exceptional circumstances exist, the balance of interests will be resolved in CHL's favour.
- Managers/Supervisors, when notified of a conflict of interest, will deal promptly with the conflict as per the Conflict of Interest Procedure and put in place arrangements that protect the integrity of the staff member who has declared the interest and CHL's processes and decision-making.

6. Roles and Responsibilities

- 6.1. The Head of HR is responsible for the procedures and framework for managing conflict of interests at CHL.
- 6.2. All Manager and Supervisors are responsible for:
 - understanding and complying with this Policy

- being aware of areas of conflict of interest within their area of responsibility, assessing risks and advising the relevant Responsible Officer (identified below)
- assisting staff who have queries about actual, perceived or potential conflicts of interest
- seeking advice or support from the relevant Responsible Officer, where necessary.

6.3. Staff are responsible for:

- understanding and complying with this Policy
- assessing their own private and personal interests and whether they conflict or have the potential to conflict with CHL's interests, including their own duties as staff members
- disclosing and managing any actual, perceived or potential conflicts of interest in accordance with this Policy; and
- not making decisions or seeking to influence the decisions of others in matters relating to the staff member's private interest.

6.4. In addition, the Group Company Secretary, Chief Financial Officer, General Manager of Corporate Services and Head of HR are designated Responsible Officers and have specific management responsibility for the functional areas of: Corporate Governance, Finance and Human Resources respectively. This includes:

- maintaining a central private and confidential register of disclosures
- supporting Senior Managers to manage any potential or declared conflicts of interest in their respective functional areas; and
- reviewing and ensuring that management of conflicts of interest for their respective areas complies with this Policy.

7. Types of Conflicts of Interest

7.1. There are a number of areas of business activity deemed high risk of conflict of interests. These include, but are not limited to:

- procurement processes, tenders and contracts
- personal relationships in the workplace
- gifts, hospitality and other benefits
- staff recruitment, selection, appointment, re-classification, termination, tenure, promotion, performance management, staff development, conditions of service, recognition and reward
- customer assessment, selection, admission to facilities
- allocation of properties
- allocation of grants, funding and/or donations
- issuing, or reviewing the issue of eviction orders or other sanctions
- making determinations or handing down judgement about individuals or disputes
- assessment or supervision of staff members
- exercising financial and other delegations

8. Avoiding Conflicts of Interest

The following principles provide some guidelines for conducting business in a way that avoids conflict of interest. Employees who are uncertain if they are placed in a potential or actual conflict of interest situation or not should seek advice from their supervisor or manager or HR.

8.1. External relationships (suppliers, service providers, customers)

External parties such as suppliers, service providers and customers are to be dealt with in an impartial manner, and all dealings fair and transparent. It could be a conflict of interest if an employee is personally associated with an external party and:

- conducts business with them
- influences the awarding of supply of materials or services to them
- diverts CHL business away from another external party in favour of their associated business.

If the association between the employee and the supplier or customer has been declared, and an action plan in place, this is managed as a potential conflict of interest.

Care must also be taken even if there is no personal association between the employee and the external party. It could be a conflict of interest if an employee:

- is taken out to lunch by an external party
- receives discounted goods or services
- receives a gift, including but not limited to small items such as gift vouchers or concert tickets
- receives cash
- meets with the external party outside of ordinary hours of work or on weekends

Refer to the Receiving Gifts and Benefits Policy for further details.

8.2. Personal relationships

It is important that personal relationships do not intrude or be perceived to intrude on or influence working practices and decisions. It could be a conflict of interest if:

- an employee acts on the basis of personal friendship or personal animosity to advantage or disadvantage a fellow employee, supplier, service provider, customer or tenant; or
- there is a personal relationship between members of staff where a direct supervisory role exists.

Staff members must disclose any close personal relationship with another employee, an applicant for any vacant position where the employee is a part of the recruitment panel, a supplier, service provider, customer or tenant.

8.3. Use of CHL resources

CHL resources, information and supply arrangements are to be used for CHL and customer benefit, not personal benefit. It could be a conflict of interest if an employee:

- makes private purchases on the same terms and prices that had been negotiated for CHL purchases
- purchases discounted air tickets for personal use through a CHL travel agent
- obtains items or services for personal use using the terms/discounts negotiated by CHL to obtain a discount which would not be available to the general public

8.4. Internal CHL functions

Internal CHL functions are to be fair and transparent. It could be a conflict of interest if an employee:

- influences recruitment and selection, promotion, disciplinary procedures, staff development, performance appraisal, remuneration.
- As a financial delegate, approves payments to themselves or an associate, or
- discloses information to a third party about internal CHL functions

If a financial delegate or associate is entitled to payment, claims must be signed by a more senior financial delegate.

A delegate must not approve claims for payment from a more senior employee within the same Business Unit.

Information disclosed to a third party because there is a legal or professional duty to disclose is not a conflict of interest. Appropriate consent must be obtained before any disclosure.

8.5. Secondary Employment

Staff members undertaking or wishing to undertake secondary employment are required to register any conflicts of interest where the work undertaken is using a staff member's specialised skills but is otherwise not affiliated with CHL. This may include additional employment with other community housing providers or government departments and Directorships. Secondary employment which does not utilise the specialised skills CHL has employed a staff member for and is not associated with CHL in any way falls outside the definition of secondary employment and is not required to be declared but may require declaration as part of an individual's Employment Agreement.

8.6. Conflicts of Commitment

Conflicts of commitment often involve issues of time allocation and are situations where an individual engages in outside professional activities, either paid or unpaid, that may interfere with their primary obligation and commitments to CHL. Whenever an individual's outside professional activities might impinge on the effective discharge of their CHL duties (e.g. time commitment), or whenever a staff member's primary professional loyalty is not to CHL, a conflict of commitment exists. If a situation arises that raises questions about a possible conflict of commitment, staff members must discuss this with their Manager/Supervisor or HR.

9. Registering Conflicts of Interest

9.1 Staff members must register any conflicts of interest at the commencement of their employment by completing a Declaration of Interest Form. Further because conflicts of interest can arise at any time during employment, employees must be aware of the possibility occurring in the future and if it arises, taking action as per this Policy.

9.2 Registering conflicts of interest provides staff members with the opportunity to consider whether any of their financial or personal interests might give rise to a real or perceived conflict with their duties and take action to remove or minimise the potential for that to occur. The registration of conflicts of interest does not in itself necessarily resolve any conflict. Additional measures to positively resolve or manage conflicts of interest should also be considered in accordance with the Conflicts of Interest Procedure.

9.3 CHL's Conflict of Interest Register is maintained by the Head of HR (or delegate).

10. Failure to Declare a Conflict of Interest

Staff have an obligation to declare and manage conflicts of interest. Failing to comply with the provision of this Policy and the Conflicts of Interest Procedure, including refusal to take any reasonable action as directed to resolve a conflict of interest may constitute misconduct or serious misconduct, which may result in disciplinary action or termination of employment. Any such action will be managed in accordance with the Disciplinary Policy.

11. Privacy and Confidentiality

11.1 Information arising from conflicts of interest declarations will be managed in accordance with the CHL Privacy Policy.

11.2 Information held may be used for CHL purposes including audit, reporting, compliance monitoring and other purposes required by government or legislation.

12. Complaints

If an employee believes that another employee is not complying with this Policy, they may raise the matter with their supervisor, Head of HR or report it under CHL's Whistleblower Policy. The complaint will, at the discretion of CHL, be investigated. If the employee against whom the complaint has been made disputes the allegation, their senior manager may ask them to make a written statement that they do not have a conflict of interest as alleged.

13. Related legislation, industry frameworks and standards, CHL policy and procedures

13.1 CHL related policies and processes

Employee Declaration of Interest form
Disciplinary Policy
Procurement Policy
Fraud and Corruption Prevention Planning Policy and Procedure
Whistleblower Policy
CHL SDA Policy

14. Monitoring and review

This document should be reviewed and revised periodically and/or as required. The period between reviews must not exceed two years. This document remains valid until such time that a new version is published.

Review history

Document reference	Date and version	Reason for review	Review frequency	Owner	Approver
POLCOROUSNATCOI202306	Version 6.0 January 2023	Scheduled review Policy rewritten	Every two years	GM Corporate Services	Managing Director
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