

## **Conflict of Interest Policy for Skilled Health professionals Pty Ltd T/A Advance Nursing**

### **1. Overview**

Every employee owes a duty of loyalty to the employer. This duty arises from the employee's employment contract.

Employees of Skilled Health professionals Pty Ltd T/A Advance Nursing must not act in a manner contrary to the interests of Skilled Health professionals Pty Ltd T/A Advance Nursing. Where there is a conflict between an employee's personal interests or the interests of Skilled Health professionals Pty Ltd T/A Advance Nursing, the latter must prevail.

### **2. Purpose**

This policy provides guidance on the management of conflicts of interest in relation to employees and contracted staff of Skilled Health professionals Pty Ltd T/A Advance Nursing and its subsidiaries..

### **3. Application**

This policy applies to all employees. For the purpose of this policy, an "employee" includes:

- (a) permanent employees (including full time and part time);
- (b) fixed-term employees;
- (c) casual employees; temporary agency staff; and
- (d) contractors,

engaged by Skilled Health professionals Pty Ltd T/A Advance Nursing and its subsidiaries.

### **4. What is a conflict of interest**

- (a) A conflict of interest arises where the interests of employees are different to, and conflict with, the interests of Skilled Health professionals Pty Ltd T/A Advance Nursing. A conflict of interest exists when it is likely that an employee could be influenced, or could be perceived to be influenced, by a personal interest in carrying out the duties as an employee of Skilled Health professionals Pty Ltd T/A Advance Nursing.
- (b) For the purposes of this policy, a reference to a "conflict of interest" includes:
  - (i) actual conflicts of interest;
  - (ii) potential conflicts of interest; and
  - (iii) situations that may give rise to an appearance of conflicts of interest.
- (c) Conflicts may not necessarily be personal to employees. Conflicts of interest may arise where the interests of family, friends or close personal or business associates or business

partners of employees conflict with those of Skilled Health professionals Pty Ltd T/A Advance Nursing.

## **5. What are some examples of situations where a conflict of interest may exist?**

### **5.1. Conflicts of interest arise in a variety of circumstances**

- (a) Because a conflict of interest can arise in a wide variety of circumstances, it is not possible to detail every situation that may lead to a conflict of interest.
- (b) However, some examples of actual or potential conflict situations are set out below.

### **5.2. Personal interest in third parties**

- (a) A conflict may arise where an employee has a personal interest in a third party which has a business relationship with Skilled Health professionals Pty Ltd T/A Advance Nursing. For example, an organisation that:
  - (b) conducts business with, or seeks business from, Skilled Health professionals Pty Ltd T/A Advance Nursing;
  - (c) Skilled Health professionals Pty Ltd T/A Advance Nursing seeks business from; or
  - (d) competes with Skilled Health professionals Pty Ltd T/A Advance Nursing.
- (e) An employee will have a personal interest in a third party if the employee, or one of the employee's associates, is a director or shareholder of the third party.

### **5.3. Positions outside of Skilled Health professionals Pty Ltd T/A Advance Nursing**

In some cases, a conflict will arise where an employee has another paid or unpaid position outside of Skilled Health professionals Pty Ltd T/A Advance Nursing. This does not necessarily mean that such outside positions are prohibited, however employees must notify Skilled Health professionals Pty Ltd T/A Advance Nursing of any such position before it is accepted, so that an assessment can be made of whether a conflict exists and, if so, how to manage it.

### **5.4. Employee and contractor referrals**

An employee who introduces an associate to Skilled Health professionals Pty Ltd T/A Advance Nursing as a potential employee must not be involved in the selection process. Skilled Health professionals Pty Ltd T/A Advance Nursing should be informed of the situation, so that an assessment can be made of whether a conflict exists and, if so, how to manage it.

### **5.5. Procurement and business dealings**

An employee who uses the employee's position at Skilled Health professionals Pty Ltd T/A Advance Nursing to do business with a third party with which the employee, or the employee's associate, has an interest, may have a conflict. Skilled Health professionals Pty Ltd T/A Advance Nursing should be informed of this, so that an assessment can be made of whether a conflict exists and, if so, how to manage it.

## **5.6. Accepting gifts and benefits**

- (a) An employee who receives more than a token gift or benefit (including meals, hospitality, accommodation or travel, among other things) from a third party in connection with the employee's duties for Skilled Health professionals Pty Ltd T/A Advance Nursing may have a conflict. Skilled Health professionals Pty Ltd T/A Advance Nursing should be informed, so that an assessment can be made of whether a conflict exists and, if so, how to manage it.
- (b) For the purpose of this policy, a gift or benefit will be regarded as being more than token if its value is more than \$0.

## **6. Roles and responsibilities**

### **6.1. Considering and avoid conflicts of interest**

- (a) Each employee is responsible for ensuring that, in all of the employee's activities, the employee considers whether an actual or potential conflict of interest arises.
- (b) Employees must take all reasonable measures to avoid conflict of interest situations arising.

### **6.2. Reporting conflicts of interest**

In some circumstances, it may not be possible to avoid a conflict of interest situation. There may be circumstances in which there is a reasonable basis on which to believe that a conflict of interest situation may arise, or in which there may be the appearance of a conflict of interest situation. In each of these circumstances, an employee must immediately disclose the conflict to Skilled Health professionals Pty Ltd T/A Advance Nursing by:

- (a) emailing the details of the conflict to Abhilash Bagaria HR Manager (hr@advancenursing.com.au); and
- (b) copying the employee's manager on the email.

### **6.3. Reporting changes in conflicts of interest**

- (a) Where a conflict of interest situation changes, an employee must immediately disclose the change by way of:
  - (i) emailing the details of the conflict to Abhilash Bagaria HR Manager (hr@advancenursing.com.au); and
  - (ii) copying the employee's manager on the email.
- (b) Where there is any doubt as to whether a conflict may exist, employees should seek guidance from their managers and, if necessary, approval from Skilled Health professionals Pty Ltd T/A Advance Nursing, before engaging in the activity that may constitute a conflict of interest.

## **7. How will conflict of interest situations be handled?**

- (a) Conflict of interest situations will be dealt with by Skilled Health professionals Pty Ltd T/A Advance Nursing on a case by case basis.
- (b) The human resources department of Skilled Health professionals Pty Ltd T/A Advance Nursing will maintain a confidential register of potential conflicts of interest that have been disclosed to Skilled Health professionals Pty Ltd T/A Advance Nursing.
- (c) In many cases, Skilled Health professionals Pty Ltd T/A Advance Nursing may not require anything to be done after the interest is disclosed. However, in some cases Skilled Health professionals Pty Ltd T/A Advance Nursing may find it necessary to direct the employee to take actions. Actions may include undertaking alternative duties, disposing of the interest, or both.

## **8. A breach of the policy**

Failure to comply with the obligation to disclose actual or potential conflicts of interest may lead to disciplinary action being taken by Skilled Health professionals Pty Ltd T/A Advance Nursing, including warnings, termination of employment, or both.

## **9. Further information**

If you require additional information in relation to this policy, or you have any suggestions for improvement to this policy, please contact Abhilash Bagaria ([hr@advancenursing.com.au](mailto:hr@advancenursing.com.au)).