



BLUEBIRD HOMECARE PTY LTD. ABN 55 625 827 974
POLICIES AND PROCEDURES

Policy Title	Conflict-Of-Interest				
Policy Number	BH-P-CC-024-03				
Policy Owner	Compassionate Care WA - Clinical Process and Compliance				
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Reviewed and edited by:

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Name (Please print).

Signature

Date

Approved by:

Catherine Suva - Director

Name (Please print).

Signature

Date

I certify that I have read and comprehended the attached policies and documents by signing this:

Name (Please print) and Position

Signature

Date



1. POLICY STATEMENT:

- 1.1. When an employee's personal interests may clash with those of the Bluebird Homecare Pty. Ltd., the Conflict-of-Interest policy takes action. Through highlighting mutual trust, describing possible disputes, and offering resolution methods, the policy makes sure the company's objectives are not jeopardized.

2. SCOPE

- 2.1. All employees of Bluebird Homecare, including volunteers, contract workers, temporary agency employees, and board members, are subject to this policy.
- 2.2. All volunteers, contractors, and staff—whether temporary, permanent, or casual—have a responsibility to ensure that everyone is aware of the promises made in this policy.

3. PURPOSE OF THE POLICY:

- 3.1. Bluebird Homecare Pty Ltd.'s Conflict-of-Interest Policy highlights mutual trust, outlines potential issues, and provides guidance for resolving conflicts between an employee's personal interests and the company's goals.
- 3.2. When a person's or organization's interests compromise, influence, or otherwise affect the services they provide, they have a conflict of interest.
- 3.3. The possibility of perceived or actual conflicts of interest exists.
 - 3.3.1. Disputes may be personal, professional, or financial. These can be financial or commercial interests.
 - 3.3.2. Disputes may arise from the NDIS provider's relationships with other businesses or organizations as well as from social, religious, or cultural ties.
 - 3.3.3. Participants need accurate information about their services and service providers, including any actual or apparent conflicts of interest, so they can make decisions with their own best interests free from pressure, influence, or incentive (benefit or reward).
 - 3.3.4. In the context of the NDIS, conflicts of interest may arise when an employee or an NDIS provider is able to use their official or professional position for personal or commercial benefit.
- 3.4. Why do NDIS providers need to handle conflicts of interest?
 - 3.4.1. Proactively managing both apparent and real conflicts of interest is a regulatory requirement for NDIS-registered providers.
 - 3.4.2. Inadequately handled or recorded disputes endanger participants, staff, and organizations.
 - 3.4.3. Conflicts of interest may jeopardize services and participants' ability to make informed choices.
 - 3.4.4. Conflicts of interest can also affect the ability to choose and exert control over services.
 - 3.4.5. The NDIS Quality and Safeguards Commission has the power to take appropriate action where a provider is shown to have a conflict of interest.
 - 3.4.6. Providers run the risk of breaching the law, receiving further complaints, incurring repercussions from the NDIS Commission, or having their reputation damaged.

4. NDIS QUALITY INDICATORS:

4.1. Conflict of Interest

Outcome: Each participant's right to exercise choice and control over other NDIS support provisions is not limited by their choice of specialist disability accommodation dwelling.



To achieve this outcome, the following indicators should be demonstrated:

- 4.1.1. Organizational policies are in place that detail how perceived or actual conflicts of interest are managed. The conflict of interest policies are made available to participants in the language, mode of communication, and terms that each participant is most likely to understand.
- 4.1.2. Conflicts of interest, perceived or actual, are proactively managed and documented.
- 4.1.3. The participant is supported to understand the distinction between the provision of specialist disability accommodation and other NDIS supports delivered in the dwelling. Where a specialist disability accommodation provider is delivering both specialist disability accommodation and other NDIS supports to the same participant, there are separate service agreements.
- 4.1.4. The participant's housing rights, including security of tenure, are upheld, irrespective of any decision(s) the participant makes about the provision of other NDIS supports within the specialist disability accommodation dwelling (notwithstanding any matters covered by the specialist disability accommodation service agreement).

5. DEFINITION OF TERMS:

- 5.1. Conflict of interest is when someone's perceived or actual private and professional interests conflict. Their professional responsibilities may be challenging to carry out without prejudice or the appearance of bias because of these interests.
- 5.2. Bluebird Pty Ltd. is the legal name for Bluebird Homecare. Homecare by Bluebird, ABN 55 625 827 974.
- 5.3. Participant refers to a Bluebird Homecare participant, which may include an NDIS participant.
- 5.4. Important Management Personnel refers to Paul Lloyd Hersey, Catherine Suva, and other important managers who occasionally work at Bluebird Homecare.
- 5.5. Bluebird Homecare maintains a registry of laws, rules, regulations, and recommendations called the Legislation Registry.
- 5.6. Information or an opinion about a person who can be identified or fairly identified from the information is considered personal information, regardless of whether it is accurate or not and whether it is preserved in a material form.
- 5.7. The policy registry refers to Bluebird Homecare's policy registry.
- 5.8. Catherine Suva is the principal.
- 5.9. A worker is any worker, whether they are employed by Bluebird Homecare on a long-term, temporary, or casual basis; they also include the principal.

6. GENERAL GUIDELINES:

- 6.1. Coordinators of support must act with integrity, honesty, and transparency.
- 6.2. Under the NDIS Code of Conduct, all NDIS providers—including support coordinators—must act with integrity, candor, and transparency.
- 6.3. Support coordinators are required to:
 - 6.3.1. recommend and provide support and services that are appropriate for the participant's needs.
 - 6.3.2. by declaring and avoiding any current or possible conflicts of interest, you can maintain your integrity.
 - 6.3.3. avoid engaging in, supporting, or employing sharp methods.
 - 6.3.4. these are unethical, dishonest, or not in the best interests of the participants, yet they are not illegal.



- 6.4. When providing support to participants under the NDIS, Bluebird Homecare and its staff will ensure that participant risks are kept to a minimum and that any conflicts of interest are declared.
- 6.5. Every employee will act in the participants' best interests, ensuring that they have the skills, authority, and capacity to make the most choices and exercise the most amount of control. Workers must not limit, influence, or guide the decision-making of a person with a disability and/or their family in a way that would impede that person's access to opportunities, information, choice, and control.
- 6.6. Employees will ensure that Bluebird Homecare proactively manages both perceived and actual conflicts of interest when providing services and assistance. Workers will:
 - 6.6.1. manage, document, and report on personal conflicts as they arise; and
 - 6.6.2. guarantee that a client is given choice-promoting, manageable advice on available support options, even those not offered by Bluebird Homecare.
- 6.7. Every customer shall be treated equally, with no client receiving or offering service in a way that favors another.

7. PROCEDURES:

- 7.1. The NDIS Code of Conduct Guidelines for Service Providers applies to both registered and unregistered NDIS providers. It places responsibilities on NDIS employees and providers, such as the requirement to disclose and avoid any real or perceived conflicts of interest and to conduct themselves honorably in all business transactions and interactions with NDIS participants.
- 7.2. Conflicts of interest examples include:
 - 7.2.1. Between participants' preferences and service providers' interests. If a participant's plan includes many support items from the same provider, it may affect their choice and control unless there are processes in place to help with decision-making and ensure that options are always available. Building connections between patients and providers is the responsibility of support coordinators.
 - 7.2.2. For coordinators of help who offer connections for assistance. It is necessary to address this issue and then implement the policy to demonstrate how it functions in practical scenarios.
 - 7.2.3. Support coordinators assist participants in implementing their NDIS plan; however, they must ensure that the providers they select are appropriate for their needs and reflect their choice. It is necessary to address this issue and then implement the policy to demonstrate how it functions in practical scenarios.
 - 7.2.4. For service suppliers who supply SDA and SIL. These service providers have the power to significantly influence consumers and the support they obtain. Providers of SDA and SIL must respect participants' autonomy to select the services and assistance they require without fear of retaliation or coercion. Giving this information, regularly verifying it, and pushing for solutions in cases where there might be limitations—like the range of available options—are all crucial. When one provider offers both housing and support services, clearly define the processes that let the participant distinguish between the two. This could entail drafting unique service contracts for every kind of assistance.
 - 7.2.5. For plan management companies, whose job it is to help participants handle their plan's financial components. They must accomplish this without attempting to advance their own, their organizations, or any other parties' interests. They must have procedures and policies in place to deal with conflicts of interest. The NDIA recommends that participants work with an independent plan manager who does not offer them any additional NDIS-funded assistance.
 - 7.2.6. When an individual holds several positions in one or more organizations. It is possible for someone who works as a support coordinator to inadvertently influence advice given while performing their support coordination duties and persuade the participant to use their support services if they also work part-time as a peer support worker or psychosocial recovery worker.



- 7.2.7. When an individual—or a member of their family—also works for an organization that offers services to them, such as a board member who may be discussing issues that affect how services are delivered or a people and culture worker who may have access to data about workers or participants.
- 7.2.8. When a board member or employee runs a company that provides or may provide services to the company. There may be a perceived or actual conflict of interest between the individual's position inside the company and their activity as a business supplier.
- 7.2.9. When a company has official or informal procedures for referring people to other services that motivate or sway participants' decisions to recommend these service providers and services.
- 7.3. Managing conflicts of interest in support coordination
 - 7.3.1. There will be a range of alternatives available to customers about support providers. Bluebird Homecare will not try to influence the client's choice.
 - 7.3.2. Bluebird Homecare not only provides support coordination but also informs clients and their families about other providers who can give the necessary support. Clients and their families may now choose and control the support they receive thanks to this. If there are any issues between Bluebird Homecare and other providers, clients and families are also informed.
 - 7.3.3. Specifically, Bluebird Homecare ensures that the assistance and service coordination for a client takes into account any perceived or actual conflicts of interest.
 - 7.3.3.1. Explain this policy to clients in a way that they are most likely to understand.
 - 7.3.3.2. To ensure there is no conflict of interest, we always attempt to include three quotes (if possible) from various services in addition to our own when our support coordinators obtain estimates for services on behalf of a client. After that, it is up to the consumer to choose another supplier or utilize our services and assistance.
 - 7.3.3.3. As such services are rendered independently of one another, make it apparent to the client that switching providers will not affect their support coordination services. The client should not worry about any possible repercussions.
 - 7.3.3.4. For each support category where a provider is to be enrolled in the case notes, enumerate the providers that are suggested to a client or their designee.
 - 7.3.3.5. When a provider falls under a support category, write in case notes why the customer chose that provider.
 - 7.3.3.6. The support coordinator will note a request for capacity or a quote if a client has decided to use another Bluebird Homecare provider.
 - 7.3.3.7. Inform the client and/or their designee at the initial meeting about the process for requesting a change in service provider, including support coordination.
- 7.4. Relevant laws, rules, guidelines, and regulations
 - 7.4.1. All applicable laws, rules, guidelines, and policies apply to this policy and any related papers included in the Legislation Register.
- 7.5. Inconsistency
 - 7.5.1. If and to the extent that any of its terms are or would be in conflict with applicable legislation, this policy is presumed to be revised, but only to the extent required to do so.

8. FORMS:

- 8.1. Conflict of Interest Declaration Form BH-F-CC-018-04
- 8.2. Conflict of Interest Register Form BH-F-CC-081-03



9. REFERENCES

- 9.1. NDIS Practice Standard and Quality Indicators, Conflict of Interest, Page 38
https://www.ndiscommission.gov.au/sites/default/files/2024-05/ndis-practice-standards-and-quality-indicatorsfinal1_1.pdf
- 9.2. National Disability Services - NDIS Quality and Safeguards Sector Readiness Project
https://www.nds.org.au/images/resources/Factsheet_-_Conflict_of_Interest.pdf
- 9.3. Council on Foundations, sample of conflict of interest policy
<https://cof.org/sites/default/files/documents/files/Sample-Conflict-of-Interest-Policies-From-Council-Members.pdf>
- 9.4. Boardable
<https://boardable.com/resources/conflict-of-interest-policy/#:~:text=A%20conflict%20of%20interest%20policy,the%20interests%20of%20the%20organization.>

10. APPENDICES: BH-F-CC-018-03 Conflict of Interest Declaration Form



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Conflict of Interest Declaration Form
BLUEBIRD HOMECARE PTY LTD. ABN 55 625 827 974



Responsible for policy:	
Review date:	
Next review date:	
Reviewed by:	

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 Compassionate Care WA, customers, and employees.

1. Preamble and Purpose

All individuals employed by Compassionate Care WA owe a duty of fidelity to Compassionate Care WA. 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 Compassionate Care WA are required to comply with the following:

Employees owe a duty of loyalty and fidelity to Compassionate Care WA. Employees are expected to perform their duties on behalf of Compassionate Care WA 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 Compassionate Care WA.

Employees must avoid any situation or activity that compromises, or may compromise, their judgement or ability to act in the best interest of Compassionate Care WA. Where a conflict of interest has been identified as having the potential to impact an employee's ability to carry out, or be seen to carry out their official duties impartially and in Compassionate Care WA interest, they must be given a copy of this policy, and they will be required to complete Annexure A - Policy 307 Conflict of Interest Disclosure Form. Once actioned by the immediate superior and signed off by the Director the form is to be placed on the employee's electronic and hard copy personal file.



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Using the form Annexure A, employees must promptly disclose to Compassionate Care WA material information regarding any relationship, ownership, or business interest (other than non-controlling 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 Compassionate Care WA; or
- sells or purchases, or seeks to sell or purchase, goods or services to or from Compassionate Care WA.

Upon disclosure of the information described above, Compassionate Care WA 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 Compassionate Care WA regarding its dealings with such person, business, or enterprise; or
- requiring the employee to refrain from being involved in any dealings on behalf of Compassionate Care WA 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 Compassionate Care WA's employ.

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

- publicly criticizing Compassionate Care WA, its management, or its employees; or
- engaging in criminal conduct or other behavior that could harm Compassionate Care WA'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 Compassionate Care WA; or
- sells or purchases, or seeks to sell or purchase, goods or services to, or from, Compassionate Care WA.

Gifts over this value must be declared to the Director/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 Compassionate Care WA and must always avoid any form of financial impropriety.



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



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As per your contract:

Confidentiality

Employees must comply with Compassionate Care WA's Declaration of Confidentiality.

Intellectual Property

You acknowledge that all inventions, designs, trade secrets, software, databases and know-how made by or produced by your labor or effort during your employment belong to and vest in the organization. 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 organization's best interests;
- compete, prepare to compete, or be involved with competing against the Organization unless you have obtained specific written permission from the Organization to that effect;
- perform work for yourself or any other person unless you have obtained specific written permission from the Organization to that effect;
- refer any business of a type performed by the Organization to any external party unless you have obtained specific written permission from the Organization to that effect.

Post-Employment Restraint (where applicable)

The employee agrees that, following the cessation of employment with Compassionate Care WA, the employee must not, without the written permission of the Director/Chief Executive Officer of Compassionate Care WA:

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 Compassionate Care WA for a period of six months.



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Should this clause be breached, Compassionate Care WA shall be entitled to pursue legal remedies. You do not, as an employee, have an entitlement to receive any permission referred to above.

Should this clause be breached, Compassionate Care WA shall be entitled to pursue legal remedies. You do not, as an employee, have an entitlement to receive any permission referred to above.

Any permission will be considered by the organization on a case-by-case basis and in the sole and absolute discretion of the organization.

3. Principles

The principles of this policy align with the values of Compassionate Care WA'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 organization is key in meeting the requirements of the National Standards.

5. Evaluation and monitoring

This policy will be reviewed every 3 years.

- Officers responsible:
- Authors: Director
- Date of next review:



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Employee Declaration

1. I have been provided with and read the Conflict-of-Interest Policy and agree to abide by the statements contained therein.
2. I have nothing to declare to the best of my knowledge and am aware of my responsibilities that are in conflict of interest in connection with my public service employment and to advise my manager of any relevant changes in my personal circumstances.

Full name:

Signature:

Date:

Signature of Director:

Date:



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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 your ability to carry out, or be seen to carry out, your official duties impartially and in Compassionate Care WA's interest.

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

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

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



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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 (Policy number 307) 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 that has been disclosed and the reasons for the decisions:

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 Director:

Date:

Employee Endorsement:

Date:

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

