1. Policy statement: Our commitment

Pacific Link Housing (PLH) and its wholly owned subsidiaries Key2 Realty Pty Ltd and Renew Projects Pty Ltd (PLH Group) are committed to ensuring that personal or individual interests of employees and Directors that conflict with the interests of the PLH Group are identified and managed so that they do not affect the reputation, services, activities or decisions of the companies.

Contractors disclose their Conflict of Interests and warrant they have done so as part of signing or renewing their maintenance service contracts.

2. Purpose and Scope

Actions and decisions taken at all levels in PLH Group will be informed, objective and fair. A conflict of interest may affect the way a person acts, decisions they make, or the way they vote in group decisions. Conflicts of Interest need to be identified, and action taken, to ensure that personal or individual interests do not affect the services, activities or decisions.

This policy applies to Directors, employees and contractors of PLH Group.

3. Definition

This policy will apply to situations where the personal interests of an individual or group of individuals directly conflict with the best interests of the PLH Group (or individual companies as identified) or clients, or where the decisions or actions of individuals may be influenced by their personal interests rather than those of the organisation.

This will include situations in which:

- close personal friends or family members are involved, such as decisions about employment, discipline or dismissal, service allocation or awarding of contracts.
- an individual or their close friends or family members may make a financial gain or gain some other form of advantage.
- an individual is involved with another organisation that is in a competitive relationship with our organisation and therefore may have access to our plans or financial information.
- an individual is bound by prior agreements or allegiances to other individuals or agencies that require them to act in the interests of that person or agency or to take a particular position on an issue.
- an individual receives a benefit from the organisation or from a third party associated with the organisation.
- an individual is housed by PLH or Key2 Realty.
- an individual receives a benefit from a related service provider.

Conflicts of Interest can be actual, perceived, or potential:

a) An **actual** conflict involves a direct conflict between the duties of a person and responsibilities to PLH Group and a competing interest or obligation, whether personal or involving a third party.

b) A **perceived** conflict exists where it could reasonably be perceived, or give the appearance, that a competing interest could improperly influence the performance of a person's duties and responsibilities to PLH Group.
c) A **potential** conflict arises where a person has an interest or obligation, whether personal or involving a third party, that could conflict with the their duties and responsibilities to PLH Group.

4. Registering known conflicts of interest (COI)

A register of COIs will be maintained by the Company Secretary. All actual, perceived and potential conflicts will be recorded in the register, showing:

- date COI advice received
- person involved in COI
- explanation of COI
- possible impact of COI
- basis for decision and mitigation plan for COI
- action taken (if any) following receipt of COI.

This register will ensure that:

- all financial and personal interests and relationships connected to the work of the organisation are documented.
- no special treatment or favours are granted to Directors or employees or their relatives, contractors or friends because of their position in the organisation.
- no gratuities or personal gifts are received because of a person's position.
- no person participates in decisions where they may have a COI.

Friends or relatives of either Directors or employees shall not be precluded from access to housing, provided all eligibility requirements are met. Allocation of housing to eligible applicants shall not be made or recommended by a person having an interest in the applicant. The usual allocation process must be followed according to PLH Group policy. Any conflict of interest must be declared and documented in the COI Register, if a friend or relative is housed by the organisation.

Directors are required by Corporations Law to declare ***material personal interests*** that may lead to an actual or perceived COI with their position as a director. These must be disclosed to the other directors, where ***material*** means "has the capacity to influence the director's vote".

5. Disclosures

Directors and employees are required to complete a new COI declaration form whenever a new potential conflict of interest arises. Reminders will be given annually to ensure the obligations under this policy are considered. Agendas of all Board and Committee meetings include requests for Directors to disclose any COIs.

Once a COI declaration is received the Company Secretary will:

- review the COI and record in the register
- work with the requisite persons to assess and document a mitigation plan as appropriate (and having regard for the nature of the COI), and
- notify the Board of new information relating to any COI.

PLH Group encourages an open and transparent culture for disclosing COIs so that open discussions can contribute to effective management of them. Lack of disclosure and management of COIs can lead to reputational risk for the organisation. Directors and employees are expected to be open and transparent in making disclosures and, if in doubt, should contact the Company Secretary for guidance.

6. Managing Conflicts of Interest

Where an apparent COI arises, the organisation commits to recording it properly, recording the basis of the decision around the management of the COI, recording and communicating the COI mitigation actions and notifying the Board.

To manage any COI that occur, or could be perceived to occur, a range of options is available depending on the significance of the conflict. These options include, but are not limited to:

- Informing likely affected persons that a disclosure has been made, giving details and the organisation's view that there is no actual conflict or the potential for conflict is minimal
- Appointing further persons to a panel/committee/team to minimise the actual or perceived influence or involvement of the person with the actual or perceived conflict
- Where the persons likely to be concerned about a potential, actual or perceived conflict are identifiable, seeking their views as to whether they object to the person having any, or any further, involvement in the matter
- Restricting the access of the person to relevant information that is sensitive, or confidential
- Directing the person to cease supporting a third party whose actions may conflict with the company's interests (e.g. a person or organisation taking legal proceedings against the organisation)
- Removing the person from duties or from responsibility to make decisions in relation to which the 'conflict' arises and reallocating those duties to another employee (who is not supervised by the person with the 'conflict')
- Directors absenting themselves from or not taking part in any debate or voting on the issue. An individual Director will not be involved in the decision-making process if the decision is related to a declared COI and the Chair has determined that the conflict is material.

Managing and responding to declared COIs will also include recording any initiatives recommended by the Board, reviewing the company's risk register in the event of adverse trends of COIs, carrying out any directed investigations and documenting the results of investigations in a timely and transparent manner.

Related Policies

CP47 Governance Policy

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