
QMS-359: CONFLICT OF INTEREST POLICY – COUNCILS, ADVISORY AND REFERENCE GROUPS

DOCUMENT CONTROL

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REVISION RECORD

Date	Version	Revision Description
03/11/2025	1.00	New document

1. POLICY PURPOSE

This policy explains what a conflict of interest is for members of Gold Coast Primary Health Network (GCPHN) advisory groups, including who is responsible for managing it, and how conflicts should be declared and handled.

2. POLICY SCOPE

This policy applies to external members (ie. non-GCPHN staff or Board Members) of all groups convened by GCPHN in the performance of their duties. The groups include but are not limited to:

- Councils
- Advisory groups; and
- Selection, evaluation and reference panels – including for GCPHN roles and GCPHN procurements

Henceforth all of the above will be referred to collectively as groups.

This policy does not apply to GCPHN staff and GCPHN Board Directors. Refer to the separate policies developed for these cohorts.

3. POLICY STATEMENT

Group members are expected to be transparent and consistent in the reporting and management of conflicts of interest.

GCPHN is required to notify the Department of Health, Disability and Ageing (DHDA) of any conflicts of interest related to funding received from the DHDA.

3.1 Definition of Conflict of Interest

A conflict of interest is a conflict between a group members:

- **Public duty** to act in the best interests of the organisation; and
- **Private interests** and/or
- **Duty to another organisation.**

Conflicts of interest may be time-limited (i.e. relate to a particular activity) or be permanent (i.e. relate to a family member or other personal circumstances).

3.2 Real, potential or perceived

A conflict of interest exists whether it is:

- **Actual conflict of interest** - A person is in a position to be influenced by their private interest or relationship
- **Perceived conflict of interest** - Where it may appear that a person could be influenced by their private interest or relationship
- **Potential conflict of interest** - A situation where a person may be influenced by their private interest or relationship in the future

3.3 Private interests

Private interests mean circumstances that can bring either benefits or disadvantage to the individual, or to others whom the person may wish to benefit or disadvantage. These include:

- **Financial interests:** where the individual may stand to receive financial gain or experience financial loss, such as property holdings, shareholdings, unpaid debts, some form of gift etc.
- **Professional interests:** where the individual may receive a job opportunity or promotion.
- **Business interests:** where the individual, or their employer, may receive business opportunities such as new work.
- **Relationships:** where the individual has personal relationships with another person, or is a member

of a club or association, where the other person or association may stand to gain benefit or loss of some form (ie. they have a financial, professional or business interest)

3.4 Direct or indirect

A private interest can be direct or indirect. A direct interest is held by the group member.

An indirect interest is held by a relative or close associate, for example:

- A member of the group member's immediate family (e.g. spouse, partner, parent, sibling, child)
- A regular member of their household; or
- Another close associate (e.g. friend, relative, business associate, rival/enemy).

3.5 Duty to another organisation

A 'conflict of duty' (also known as a 'conflict of role') is a conflict of interest that can occur even if the group member does not have any private interest at stake. It is a conflict between a group members:

- Public duty to act in the best interests of the organisation; and
- Duty to another organisation. It exists due to the group member's role with the other organisation (e.g. as a committee member, employee, volunteer, or organisation member).

4. PROCESS

Refer to the process workflow at Annexure A for a high-level overview of the process steps described in this section.

As noted above, where conflicts of interest relate to DHDA funding, GCPHN is required to disclose these to the DHDA. Refer to the process workflow at Annexure B.

An up-to-date register of group members' conflict of interest declarations will be maintained that includes details of both the direct and indirect interests of each group member.

The register is maintained by the group secretariat and is stored securely within GCPHN's intranet (SharePoint).

4.1 Identify

Group members are responsible for identifying and disclosing their own conflicts of interest. Consideration should be given as to whether in performing a role, a group member could be influenced, or appear to be influenced, by personal interests.

Identification may occur when a member is appointed to the group, or during their term.

4.2 Manage

4.2.1 Disclose the conflict of interest

As soon as a likely conflict of interest is identified, it should be disclosed to the group Chair and secretariat.

4.2.2 Assess

The group Chair will assess the situation and determine whether any conflict exists. If a conflict of interest is established, then the type of interest (i.e. actual, perceived or potential) and the best strategy for its management should be discussed and agreed upon by the parties concerned.

Refer to the Conflict-of-Interest Risk Assessment at Annexure B to support this determination.

Once a conflict of interest is determined to exist, a Conflict-of-Interest Declaration form should be completed by the group member.

For member of Procurement Panels, the form at Annexure D should be utilised.

4.2.3 Choose Strategy

While conflicts of interest may be resolved or managed in a variety of ways, the strategy will depend on an assessment of the individual circumstances of each case. This may include whether the conflict of interest is temporary or permanent.

All conflict of interest must be registered, regardless of the perceived level of seriousness.

Strategy	What this strategy means	Level of Conflict of Interest	When it is most suitable
Register	You formally register details of the existence of a possible or potential conflict of interest	ALL	<ul style="list-style-type: none">For very low-risk conflicts of interestWhere recording the conflict of interest is sufficient to maintain transparency
Restrict	Restrictions are placed on your involvement in the matter to oversee part or all the process that deals with the matter.	LOW	<ul style="list-style-type: none">You can be effectively separated from parts of the activity or process.The conflict of interest is not likely to arise frequently.
Recruit	Recruit an independent third party to oversee part or all the process that deals with the matter	MEDIUM / HIGH	<ul style="list-style-type: none">It is not feasible or desirable for you to remove yourself from the decision-making process.In small or isolated communities where your expertise is necessary and genuinely not easily replaced.
Remove	You choose to remove yourself completely from the matter.	MEDIUM / HIGH	For ongoing serious conflicts of interest, where restriction or recruitment of others is not appropriate
Relinquish	You relinquish the private interest that is creating conflict of interest.	MEDIUM / HIGH	Where your commitment to public duty outweighs your attachment to private interest.
Resign	You resign from your position with the group	HIGH	<ul style="list-style-type: none">No other options are available.Where you cannot or will not relinquish your conflicting private work.Where you prefer this course as a matter of personal principle

Once the most appropriate strategy or strategies for the conflict of interest has been determined it must be recorded on the Conflict-of-Interest Declaration form.

4.3 Reviewing and Monitoring

Ongoing monitoring and regular reviews of identified conflicts of interest allows changes to be made to the management strategy.

All conflicts of interest within the Register should be reviewed by the group member and the group Chair, six-monthly **at a minimum** and may be reviewed more frequently as required depending on the nature and identified strategy to manage the conflict.

4.4 Closing a conflict of interest

Conflicts of interest may be time-limited or be permanent. Where a conflict of interest is time-limited and the particular issue causing the conflict has ceased, or circumstances changed, the entry within the Conflicts of Interest Register can be closed.

5. REPORTING CONFLICTS OF INTEREST TO THE DEPARTMENT OF HEALTH, DISABILITY AND AGEING

Refer to the process workflow at Annexure B for a high-level overview of the process steps described in this section.

5.1 Identifying a Conflict of Interest that Requires Notification to the DHDA

Not all conflicts of interest identified by advisory group members require notification to the DHDA. Conflicts of interest which should be considered to be notified to the DHDA include those relating to:

- When GCPHN is entering into contracts using PHN Program funding where there are any Conflicts of Interest.
- Conflicts of Interest involving Company Members.
- Conflicts of Interest involving Board Members.
- Conflicts of Interest involving the CEO, Executive Directors, and the Finance Manager where they relate to PHN Program funding.

5.2 Making a Notification to the DHDA

Where a conflict of interest has been identified as being required to be reported to the DHDA, a Conflict-of-Interest Notification form on the DHDA's template must be completed and provided to the DHDA.

5.3 Requirements by the DHDA

Subject to the nature of the conflict of interest notified to the DHDA, the DHDA may advise GCPHN of any management strategies, reporting or other oversight of the conflict of interest. This may be in addition to any management strategies or internal monitoring that GCPHN has identified.

6 NON-DISCLOSURE

If group member fails to make the necessary disclosure about conflicts of interest, they may be in breach of this Policy and/or the Terms of Reference for their group. Breaches will be treated seriously and may lead to the removal of the group member from that group.

5 DOCUMENT CONTROL - MONITORING, EVALUATION AND REVIEW

This Policy has been classified as a Level 2 document under the Controlled Documents Procedure and should be reviewed every two years or otherwise as improvements arise.

6 ASSOCIATED DOCUMENTS

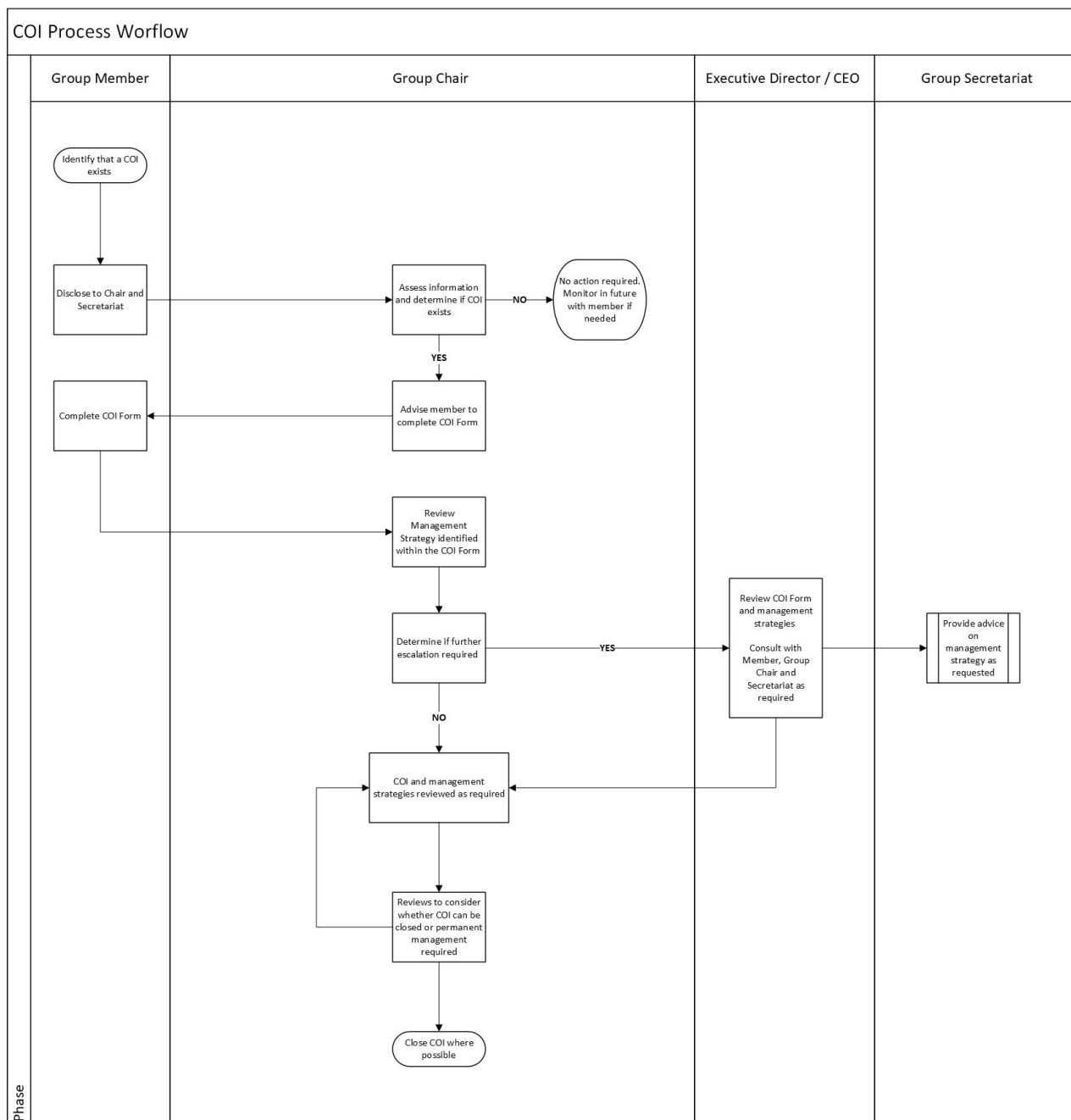
GCPHN Controlled Documents:

- QMS-41 - Code of Conduct Framework
- Conflict of Interest Policy – Board
- QMS-357 - Conflict of Interest Policy – Staff
- QMS-358 - Related Party Transactions Procedure
- QMS-353 – Gifts, Benefits and Hospitality Policy
- QMS-30 – Whistleblower Management Policy and Procedure
- QMS-186 - Fraud and Corruption Control Policy
- QMS-327 – Fraud and Corruption Control Guideline

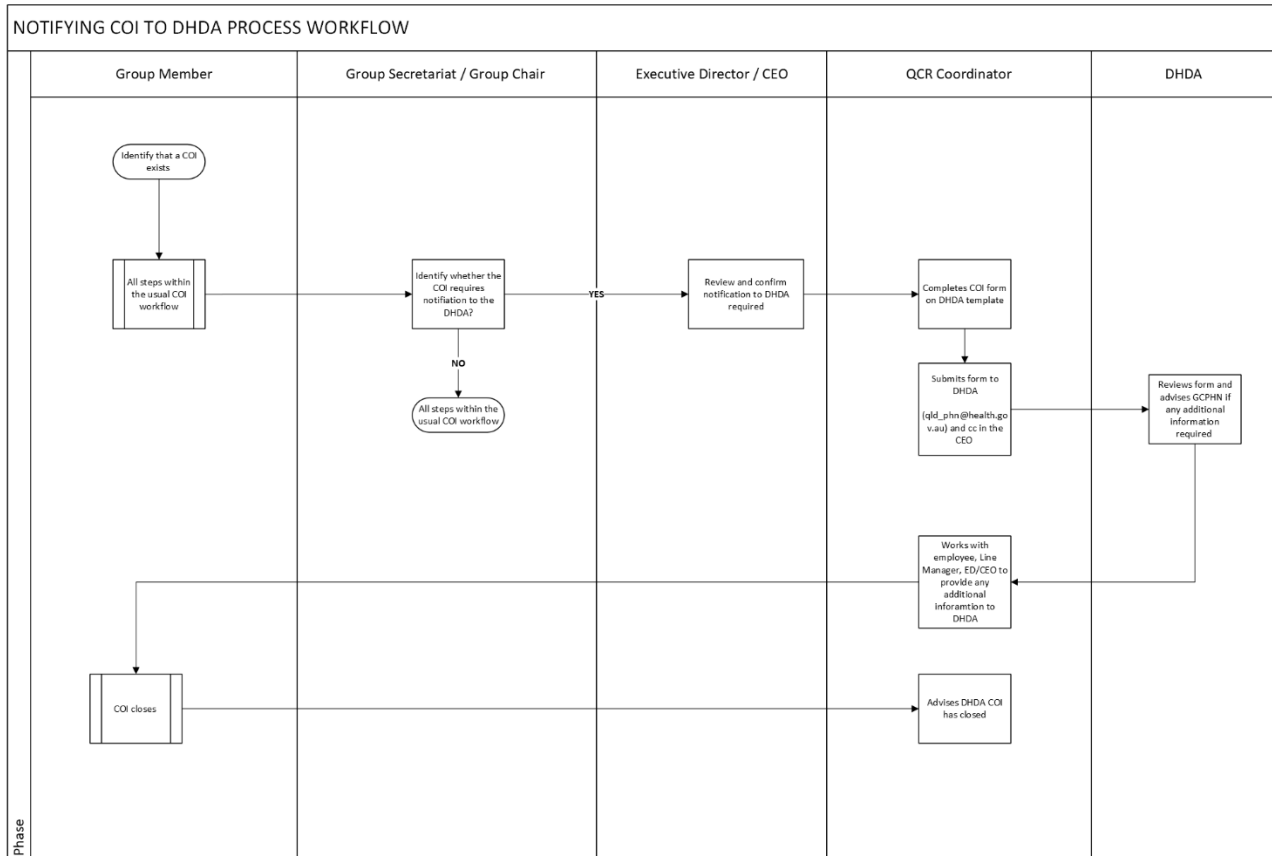
External Documents:

- Department of Health, Disability and Ageing – PHN Conflicts and Related Party Policy: <https://www.health.gov.au/resources/publications/primary-health-network-phn-conflicts-and-related-party-policy?language=en>

ANNEXURE A – PROCESS WORKFLOW



ANNEXURE B – Process workflow – notifications to DHDA



ANNEXURE C - Conflict of Interest Risk Assessment

This provides a summary of the **general approach** to assessing the level of risk or severity associated with a conflict of interest, which should be considered when a management strategy is put in place.

Rating	Significance of the Conflict of Interest	Potential for Interest
VERY MINOR	<ul style="list-style-type: none"> The individual has an acquaintance that have, or may be perceived to have, an interest related to the activity. The individual has previously had business dealings with people, or an entity, involved in the activity that may potentially receive benefit. 	<ul style="list-style-type: none"> The individual only acts in a support capacity in respect to the activity (no decision-making capacity) and does not provide any recommendations or advice with respect to the outcome. The individual only has access to general information.
MINOR	<ul style="list-style-type: none"> The individual has family or friends that are not directly involved in the activity but may be perceived to have a non-financial interest in the activity or a related party (eg. work for an organisation related to the activity but in an unrelated area). The individual has shareholdings in a publicly traded company via a managed fund (such as superannuation) to which they have no control over 	<ul style="list-style-type: none"> The individual processes advice or recommendations with respect to the activity as part of an overall team but is not the decision maker. There are multiple levels of review and approval in place. The individual has access to some confidential information on an as needed basis.
MODERATE	<ul style="list-style-type: none"> The individual has family, or close friends, that are directly involved in the activity and may receive benefits (non-financial) depending on the outcome of the activity. The individual, or a family member, may potentially be in a position where they can be influenced by a private / financial interest in the future. 	<ul style="list-style-type: none"> The individual provides key advice / recommendations regarding the activity to a sole decision maker, or the individual has some joint decision-making capacity as part of a broader decision making / approval process that includes multiple levels of review / approval. The individual has access to confidential information.
HIGH	<p>The individual, their employer, or their direct family members, <u>may be perceived to be in a position</u> to receive direct benefits or loss, such as:</p> <ul style="list-style-type: none"> Financial benefits through shareholdings* (such as dividends, change in value or sale), change in value or sale of property holdings, or other benefits, such as forfeiting of a debt, or gift etc A promotion or offer of new employment Gain or loss of significant revenue, or business opportunities (for example gain or loss of a contact for related work). <p>*Note – excludes shareholdings through superannuation of managed funds where the individual has no control over the holdings.</p>	<p>The individual is a key, but not sole, decision maker (eg. part of a committee, or additional levels of review / approval are required) based on advice / recommendations from others.</p>
VERY HIGH	<p>The individual, their employer or their direct family members <u>are in an actual position</u> to receive direct benefits or loss, such as:</p> <ul style="list-style-type: none"> Financial benefits through shareholdings* (such as dividends, change in value or sale), change in 	<p>The individual is the ultimate, or sole, decision maker with respect to the activity and there is no other review, or level of approval required.</p>

Rating	Significance of the Conflict of Interest	Potential for Interest
	<p>value or sale of property holdings, or other benefits, such as forfeiting of a debt, or gift etc</p> <ul style="list-style-type: none"> • A promotion or offer of new employment • Gain or loss of significant revenue, or business opportunities (for example gain or loss of a contact for related work). <p>*Note – excludes shareholding through superannuation of managed funds where the individual has no control over the holdings.</p>	

Risk Assessment Matrix

Potential to Influence	Very High					
	High			MEDIUM	HIGH	
	Moderate			LOW		
	Minor		VERY LOW			
	Very Minor					
		Very Minor	Minor	Moderate	High	Very High
Significance of Conflict of Interest						

**ANNEXURE D – CONFLICT OF INTEREST DECLARATION AND CONFIDENTIALITY AGREEMENT –
PROCUREMENT PROCESS**

[INTERNAL TENDER PROCESS COI DECLARATION AND CONFIDENTIALITY AGREEMENT DRAFT.docx](#)