

Conflict of Interest Policy and Procedure

Footprints Advocacy

Policy owner	Principal Advocate	Version	1.0
Approved by	Kirrilee Tapp	Effective date	1 January 2026
Review date	13 July 2027	Applies to	Footprints Advocacy
Related records	Conflict declarations and register	Status	Approved

1. Purpose

This policy explains how Footprints Advocacy identifies, discloses, avoids and manages actual, potential and perceived conflicts of interest. Its purpose is to protect the rights, choice, control and interests of each person receiving advocacy and to maintain the independence and integrity of Footprints Advocacy.

2. Scope

This policy applies to the owner, employees, contractors, volunteers and any person acting on behalf of Footprints Advocacy. It applies from the first enquiry through to the end of the advocacy engagement.

3. Policy statement

Footprints Advocacy provides independent, participant-directed advocacy. The participant's interests, instructions and rights must come before the personal, professional or financial interests of the advocate or any other person.

- Conflicts will be considered from the participant's perspective, not only from the advocate's perspective.
- Actual conflicts will be avoided wherever reasonably possible.
- Potential and perceived conflicts will be disclosed promptly and managed transparently.
- A participant will be supported to make an informed choice about whether the advocacy relationship should continue.
- A participant will not be disadvantaged, pressured or charged a penalty for raising a concern or choosing another advocate.
- Footprints Advocacy will not use an advocacy relationship to steer a participant toward a connected provider, organisation, product or service.

4. Independence of Footprints Advocacy

Footprints Advocacy is an independent advocacy business. It does not provide therapy, support coordination, plan management, direct support work, supported independent living or other disability support services to the person being represented. It does not receive referral commissions, gifts, incentives or other benefits from service providers in exchange for referrals.

The advocate may have lived experience of disability, may be an NDIS participant, or may share a diagnosis, community connection or membership organisation with a participant. These circumstances do not, by themselves, create an actual conflict of interest. They may create a perceived or potential personal conflict where a reasonable person could think the advocate's own experiences, relationships or interests might influence the advocacy. Such circumstances must therefore be considered, disclosed where relevant, and managed under this policy.

4.1 Support coordination clients

Footprints Advocacy will not provide advocacy services to a person while also engaged by that person as their support coordinator. This separation is necessary to preserve the independence of the advocacy role and avoid any actual, potential or perceived conflict of interest. Where a support coordination client wishes to engage Footprints Advocacy for advocacy services, including representation or attendance at an NDIS planning, reassessment, review or related meeting, the support coordination service agreement must first be formally ended. The person will be supported to transition their support coordination to another provider where required. Advocacy services will only commence after the support coordination arrangement has ceased and any outstanding transition, record-transfer and invoicing matters have been completed. Ending the support coordination agreement does not oblige the person to engage Footprints Advocacy for advocacy, and the person will be informed of alternative independent advocacy options.

5. Definitions

Actual conflict of interest: A conflict that exists now because the advocate's interests are competing with, or influencing, the participant's interests.

Potential conflict of interest: A situation that could develop into a conflict in the future.

Perceived conflict of interest: A situation where a reasonable person could believe a conflict exists, even if the advocate believes their work remains independent.

Personal interest: An interest arising from family, friendship, social, cultural, community, disability, membership or other personal connections.

Financial or business interest: An interest involving payment, ownership, referral benefits, gifts, commissions, employment or relationships with another business or provider.

6. Examples of conflicts requiring consideration

- The advocate or a close family member has a financial interest in a provider being considered by the participant.
- The advocate receives a referral fee, gift, commission or other benefit from a provider.
- The advocate provides another paid NDIS support or service to the same participant.
- The advocate has a close personal, family, social or business relationship with the participant, an NDIA decision-maker or a provider involved in the matter.
- The advocate is supporting two people whose instructions or interests directly conflict.
- The advocate's own dispute, claim, public campaign or personal outcome could be materially advanced by the participant's matter.
- The advocate shares a diagnosis or lived experience with the participant and there is a risk that the advocate may substitute their own experience for the participant's individual circumstances.
- The participant and advocate are members of the same disability or community organisation, creating a possible perception of partiality or blurred boundaries.

7. Responsibilities

7.1 Principal Advocate

- Maintain this policy, a conflict of interest register and all completed declarations.
- Assess identified conflicts and decide whether they can be avoided or safely managed.
- Ensure the participant receives understandable information about the conflict, risks, options and management plan.
- Arrange an independent review or external referral where the advocate cannot objectively manage the matter.

7.2 All persons working for Footprints Advocacy

- Identify and disclose conflicts as soon as they become known.
- Avoid acting where independence, confidentiality or participant-directed advocacy cannot be maintained.
- Keep information confidential and use it only for the participant's advocacy matter.
- Follow the documented management plan and report any change in circumstances.

8. Procedure

Step 1: Identify

At intake, before attending a meeting, when a referral is made, and whenever circumstances change, the advocate will consider whether there is an actual, potential or perceived conflict. The assessment will include personal, financial, professional, business, provider, organisational and community relationships.

Step 2: Assess the risk

The advocate will consider:

- whether the advocate could obtain a financial, professional, personal or reputational benefit;
- whether the participant's choices, instructions or access to options could be influenced;
- whether confidential information could be misused or shared;
- whether a reasonable participant, family member, delegate or member of the public could perceive a conflict;
- the seriousness and likelihood of harm, loss of trust or compromised independence; and
- whether the conflict can be removed or managed without disadvantaging the participant.

Step 3: Disclose and discuss

The advocate will explain the conflict or perceived conflict to the participant in plain language as soon as practicable. The participant will be told why it may matter, what safeguards are proposed, what alternatives are available and how to raise a concern. The participant will be given an opportunity to ask questions and, where appropriate, obtain advice from an independent person.

Step 4: Offer genuine alternatives

- Continue with Footprints Advocacy under a written management plan.
- Use another independent advocate, including an advocacy organisation located through the Disability Gateway or another suitable service.
- Attend the meeting without Footprints Advocacy or nominate another support person.
- Pause the engagement while the participant considers their options.

Step 5: Decide and document

The decision and reasons will be documented in the participant file and conflict of interest register. Where the conflict is material, a written declaration and management plan will be completed and provided to the participant or authorised representative. Consent to continue does not remove Footprints Advocacy's responsibility to withdraw where the conflict cannot be safely managed.

Step 6: Manage

Depending on the risk, one or more of the following controls will be used:

- Monitor: document the issue and review it at agreed intervals.
- Participant direction: record the participant's goals, instructions and preferred outcomes before advocacy occurs.
- Role boundaries: make clear that the advocate provides advocacy only and does not make decisions for the participant.
- Evidence-based practice: rely on the participant's reports, circumstances, goals and instructions rather than the advocate's personal lived experience.
- No steering: provide neutral information and more than one option where referrals or service choices arise.
- Information controls: limit access to confidential information and obtain consent before sharing it.
- Independent review: have a suitably independent person review a submission, advice or management approach where practicable.
- Restriction: limit the conflicted person's involvement in a particular decision, referral or meeting.
- Removal or withdrawal: cease acting and facilitate referral to another advocate if independence cannot be maintained.

Step 7: Review

A conflict management plan will be reviewed when circumstances change, when a participant raises a concern, before a significant meeting or decision, and otherwise within 6 months for an active matter. A new declaration will be completed if the nature or level of risk changes.

9. Specific safeguards where lived experience or diagnosis is shared

- The advocate will state that the participant's experience of disability is individual and may differ from the advocate's experience.
- The advocate will not present their own diagnosis, NDIS plan, funding or personal experience as evidence of what the participant should receive.
- Advice and representations will be based on the participant's functional impact, evidence, goals, preferences and applicable NDIS requirements.
- The advocate will disclose any relevant personal connection through a disability association or community group.
- The participant will be offered the option of another advocate without pressure or disadvantage.
- The advocate will not seek or accept any personal benefit from the outcome of the participant's NDIS matter.

10. Complaints and concerns

A participant may raise a concern directly with the Principal Advocate verbally or in writing. The concern will be acknowledged, documented and addressed fairly, without reprisal. The participant may also seek assistance from an independent advocacy service or make a complaint to an appropriate external body. Footprints Advocacy will cooperate with any lawful review or complaint process.

11. Records and privacy

Conflict declarations, management plans, participant acknowledgements, review dates and actions taken will be stored securely with the participant's records and recorded in a conflict of interest register. Information will be collected, used and disclosed only for legitimate purposes and in accordance with the Footprints Advocacy privacy policy and applicable privacy requirements.

12. Breaches

Failure to disclose or follow a management plan may result in corrective action, removal from the matter, termination of an engagement or referral to an appropriate authority where required. The immediate priority will be protecting the participant's rights, interests and continuity of advocacy.

13. Related documents

- Footprints Advocacy Privacy Policy
- Footprints Advocacy Complaints Policy and Procedure
- Conflict of Interest Declaration and Management Plan
- Conflict of Interest Register
- NDIS Code of Conduct
- NDIA conflict of interest resources and declaration form

14. References

- National Disability Insurance Agency, What is a conflict of interest?
- National Disability Insurance Agency, Conflict of Interest Declaration form.
- NDIS Quality and Safeguards Commission, NDIS Code of Conduct.
- Australian Government Department of Social Services, National Standards for Disability Services.

Appendix A: Conflict of Interest Assessment and Management Record

Participant name	
Date identified	
Person completing assessment	
Type	☐ Actual ☐ Potential ☐ Perceived
Nature	☐ Personal ☐ Financial ☐ Business ☐ Professional ☐ Other
Description of conflict or perceived conflict	
Participant's concerns in their own words	
Risks to independence, choice, confidentiality or trust	
Alternatives offered	
Participant's decision	
Management actions	
Review date	
Outcome of review	

Participant/representative signature: _____ Date: _____

Advocate signature: _____ Date: _____