

Conflict of Interest under the NDIS

STATEMENT

Able Australia is a registered provider under the National Disability Insurance Scheme (NDIS). The NDIS states “A Registered Provider must not (by act or omission) constrain, influence or direct decision making by a person with a disability and/or their family so as to limit that person’s access to information, opportunities and choice and control.” Terms of Business for Registered Providers, April 2016.

Under the NDIS, Able Australia offers a suite of services such as Supported Independent Living (SIL), Support Coordination (CoS), Specialist Behaviour support, Therapy support and Specialist Disability Accommodation (SDA).

Able Australia’s vision, goals and principles of operation reflect the organisation’s commitment to service provision which empowers participants to make informed decisions and maximise choice and control. This document outlines Able’s approach to maximising a person’s access to information, opportunities and choice and control and provides a framework for identifying and resolving situations where conflicts of interest exist or might be perceived to exist.

This policy outlines the management of conflict of Interest in respect to SDA and CoS. However, in accordance with Able’s vision, mission and values, Able’s principles in the management of perceived, actual or potential conflicts of interest is to be applied to circumstances outside of SDA and CoS, including general conflicts of interest.

Conflicts of Interest for Board Members are managed through the Board – conflict of interest policy.

SCOPE

This policy applies to all staff, volunteers, agency staff and contractors in relation to the management and delivery of NDIS funding and services.

DEFINITIONS AND ABBREVIATIONS

Term	Definition
Conflict of Interest	Is when an organisation or person’s interests compromise, influence or affect the way they provide services. A conflict of interest can be real or perceived.
Supported Decision-Making	Is the process of providing support to people to make decisions to remain in control of their lives. It involves building the skills and knowledge of people, their families, carers, peers and professionals

Specialist Disability Accommodation	Known as SDA, is a range of housing designed for people with functional limitations or very high needs.
Support Coordination	<p>Is a NDIS support that helps participants:</p> <ul style="list-style-type: none"> • Understand their NDIS plan to pursue goals • Connect participants with NDIS providers, community, mainstream and other government services • Build confidence and skills in participants to use and coordinate your support

POLICY DETAILS

Able (regardless of service type) will:

- Ensure that choice, flexibility and control is provided for participants through all services or supports
- Acknowledge that participants will seek supports from formal/informal support with decision making
- Provide participants with the choice to use Able Australia services or other service providers in relation to their funded NDIS supports
- Provide information to participants regarding access to the NDIS website for all possible NDIS-registered providers
- Where other service providers offer the same or similar services, ensure it is always the participant’s choice as to which service they use
- Inform participants that they do not need to choose Able to be the provider for all NDIS supports,
- In circumstances where Able provides more than 1 support with a participant, be transparent where this exists
- Provide participants with information regarding the organisation’s complaints policies and procedures and encourage their use for the resolution of conflicts that may arise
- Ensure that any conflict of interest (perceived, potential or actual) is declared and any risks to participants in these declarations is mitigated
- Ensure employees do not seek to influence a participant to choose Able over other service providers.

As required by the NDIS Terms of Business, all participants will be treated equally, and no participant shall be given preferential treatment above another in the receipt or provision of supports.

Our practices ensure that there are mechanisms in place to manage Conflict of Interest in the NDIS. These being:

- Able’s organisation structure shows distinct and clear separation of services and internal reporting lines. This clear delineation in roles and responsibilities supports choice and control and mitigates against conflict of interest
- A mature Quality Management system with a wide range of policy, procedures and processes and is in accordance with legislative requirements
- Planning processes and Supported Decision-making approach to ensure our participants to access information, advocacy and advice to make informed decisions on the use of their NDIS funding
- Participant Records Management system (Carelink) to record discussions and information provided to participants to support their decision making in relation to alternate providers
- Collaboration agreements between support providers and SDA providers, with communication in accordance with these mutual agreements
- Service agreements and schedule of supports to document agreed upon services between the participant and Able Australia and
- Delivery of service is regulated by the applicable schedule of remuneration.

Managing Conflict of interest in Support Coordination

- All Support Coordinators at Able, have cleared defined position descriptions, including Roles and Responsibilities
- All support coordinators are aware and understand their obligations in managing conflicts of interest
- Able ensures that there are separate schedules of support in place for agreed upon services
- Support coordinators document the information that is provided to participants on available providers. A minimum of 3 choices are provided, where possible, when participants are engaging new services.
- Able’s CRM has structured permission levels with case notes for Support coordination not visible to other services within Able
- As part of the NDIS plan review process (8 week and 9 month outcome reports), support coordinators are required to report to the NDIA on how the participant has been provided choice in providers
- Able is a provider of deafblind services. This is a unique skill set and there is a very limited number of skilled providers. In some cases it will not be possible to provide alternative Provider option to clients with deafblindness. Able will be transparent with all clients regarding this.
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Managing Conflict of Interest in SDA

- Able Australia empowers all clients to have choice and control over their service providers and are not limited with their choices in SDA dwellings.
- Able recognizes the separation between SDA and other supports that are delivered in SDA dwellings.
- SDA Service Agreements are established with participants that detail the agreed use of SDA funding, rights and responsibilities of the participant and the SDA provider.
- SDA responsibilities are managed separately from other services with clear processes for

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- Client Enquiry, Intake and Onboarding -
- Vacancy Management &
- Bed Closures
- Able has an established complaints and feedback process that incorporates feedback for SDA.
- Able complies with the NDIS Q&SGC practice standards, National Disability Insurance Scheme (Specialist Disability Accommodation Conditions) Rules 2018 and applicable state-based tenancy laws.

REFERENCE DOCUMENTS

- Terms of Business for Registered Providers NDIS
- Board Conflict of Interest Policy
- Conflict of Interest Policy
- Client Enquiry, Intake and Onboarding procedure
- Bed Closure procedure
- Vacancy Management Procedure
- Code of Ethics and Conduct Policy
- Specialist Disability Accommodation agreement
- Specialist Disability Accommodation Policy
- NDIS Q&SGC Practice Standards

CONTINUOUS IMPROVEMENT

Improvements to this policy can be made by completing an Improvement Opportunity Form, attaching any suggested amendments and forwarding to the National Quality and Compliance Advisor for review.

Document Control *Documents are controlled for version, traceability and security within SharePoint.*

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