

LIFE INDEPENDENCE DISABILITY SUPPORT SERVICES

www.lifeindependence.com.au

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CONFLICT OF INTEREST POLICY

Policy number	12	Version	1
Drafted by	Merryn Farnsworth	Approved on	20/11/2020
Responsible person	Merryn Farnsworth	Scheduled review date	20/11/2021

INTRODUCTION

Life Independence is committed to a high standard of ethical conduct including understanding of the importance of highlighting any existing or potential conflict of interest. This policy outlines how Life Independence deals with any perceived or actual conflict of interest while delivering services to National Disability Insurance Scheme (NDIS) participants. The policy is developed and published for the benefit of NDIS clients, supporters, any relevant stakeholders, oversight authorities and staff working with Life Independence.

PURPOSE OF POLICY

This policy establishes a clear ethos for the service focused on the rights of all participants, supporters, funding authorities and general public to achieve unbiased and fair service delivery at all times. It does this by establishing a number of objectives to guide the user of this policy to understand the following:

- What constitutes a conflict of interest?
- How to identify the underpinning causes of an actual or perceived conflicted interest and steps the service has in place to avoid any perception of conflicted interest in how service is delivered
- How a participant or supporter can identify and report a conflicted interest that has the potential to negatively affect the quality of service received
- What steps Life Independence will take should a conflict of interest arise
- Where participant and their supporters can get help dealing with a conflict of interest from bodies from Life Independence or by other avenues if they need to do so

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LEGISLATION, RULES, REGULATIONS & GUIDELINES

Anyone that receives services from Life Independence can expect that the service delivered will comply relevant legislation and guidelines including the conditions and requirements of:

- National Disability Insurance Scheme Act, 2013
- National Disability Insurance Scheme (Registered Providers of Support) Rules, 2013
- National Disability Insurance Scheme (Procedural Fairness) Guidelines 2018
- National Disability Insurance Scheme (Code of Conduct) rules 2018
- National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018
- NDIS Terms of Business for Registered Providers, 2017

SCOPE OF POLICY

This policy is applicable to all Life Independence staff or any person acting in any capacity whereby there are taking to be representing Life Independence and its interests.

COMPLIANCE WITH THIS POLICY

It is a condition of employment that all staff provide written receipt that they have read and understood this policy and acknowledge their commitment to abide by the principles and practices of this policy.

CONSEQUENCES OF NON COMPLIANCE

Staff acknowledge that non compliance with this policy will leave them liable to disciplinary action. This may include but is not limited to immediate termination, counselling or other action compatible with the service mandate and the law.

PROCEDURES

This policy is not designed as a manual on procedural information to perform duties at Life Independence. Should procedural advice be required by a staff member companion documents are available through the service website. Staff are expected to check with those sources for full information on policies, legislation and other standards relating to service delivery.

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DECLARATION OF INTENT

This policy is intended to outline the values of Life Independence and our approach to service delivery. The intention is to have a range of policies, procedures and practices proportional to the size and scope of the service that effectively meets the needs of our clients. This policy confides that intent into a set of principles that acts as a framework for best practices with individual elements guiding service delivery.

POLICY PRINCIPLES

The following principles of service can be expected by any person receiving services from Life Independence.

- Each individual's right to freedom of expression, self-determination and decision-making is upheld in accordance with applicable laws and conventions
- The privacy of people with a disability is respected
- Service is provided in a safe and competent manner with care and skill
- Integrity, honesty and transparency is demonstrated at all times
- Steps are taken in a timely manner to raise and act on concerns about matters that may impact the quality and safety of supports and services provided to people with a disability
- People with disability are supported to pursue their goals and maximise independence and social and economic participation
- Develop the capacity of people with disability to participate in the community and in employment
- Build a sustainable scheme that is based on insurance principles

COMPLIANCE WITH THIS POLICY

Compliance with each of the following points relating to practices for service delivery can be expected by any person receiving services from Life Independence:

- Relevant rules, guidelines and policies issued by the NDIA
- Life Independences Code of Conduct and Customer Service Charter
- Any Commonwealth, State or Territory laws and any other requirements that are applicable to the registered provider
- Life Independence will notify the NDIA if the service is in breach of any Commonwealth, State or Territory law, including any Commonwealth, State or Territory law and/or quality and safeguard arrangements
- Life Independence will notify the NDIA if they become subject to an investigation for breach of any of those laws and arrangements listed

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HOW PEOPLE RECEIVING SERVICES CAN USE THIS POLICY

Any person acting on behalf of Life Independence is expected to act in the best interests of each individual participant. This policy is designed to inform and empower the knowledge of participants receiving service so they can exercise choice and control in receiving services. This policy facilitates understanding of the action Life Independence must take to ensure that any real or perceived conflict of interest do not harm the best interests of the participant. Life Independence has steps in place to assist clearly identifying to each participant aspects of its business and relationships through information and declaration of interests that are available and easy to understand.

DEFINITIONS

A conflict of interest can arise from any action, omission to act or other influence exerted by someone during the receipt of services that could alter the service delivery to a participant in a manner that services their own interests over those of Life Independence. An example of a conflict of interest that benefits the service provider could be delivering a service to a participant with prior knowledge of another available service that could better serve the participants needs. A conflict of interest by omission might refer to failure to disclose a personal relationship with a service provider that a participant has been referred to for service. Should a participant feel they have not been provided with all relevant information available to help them make an informed decision a conflict of interest also exists.

PROCEDURES

Management of internal and external procedures are to be provided in a transparent manner as described in this procedure. All service policies and procedural information is available for public view via the service website along with all other relevant information relating to the service and its delivery. These policies include the services Code of Conduct, Customer Service Charter and Delivery of Services Policy which outline the commitment to ethical conduct upheld by Life Independence. The services Conflict of Interest Policy is also available on the website describing how any conflict of interest is managed, documented and reported on individual conflicts. Making this information readily available allows for prospective and current participants to make informed choices relating to services available. The website also provides links to advocacy groups and other services available to provide unbiased information on available services. When receiving or applying for service with Life Independence participants can view a copy of the Anti-Discrimination policy either online or by request.

Any person receiving service will receive an itemised service agreement identifying the agreed regime for service including all associated costs. This agreement outlines any notice periods or cancellation terms applicable. Participants are not bound to engage

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our services after review of the pricing and conditions outlined in the agreement. Price charged to participants do not exceed the price level prescribed for that support in the NDIS Pricing Guide. No other charges will be added to the cost of support, including credit card surcharges, any additional fees, 'gap' fees, late payment fees or cancellation fees. These requirements apply whether funding for the support is managed by the participant, a registered provider or managed by the Agency. Life Independence will submit claims for payment within a reasonable time (no later than 60 days from the end of the service booking). Life Independence does not charge cancellation fees, except if specifically provided for in the NDIA Price Guide. This is done to give participants all applicable knowledge relating to pricing and processes required to make informed choices. The service agreement also supplies information for who to contact if not satisfied with any offer of services made.

No member of Life Independence is able to receive gifts, gratuities or other benefits outside allocated NDIS payments. This is to ensure a fair and impartial service and to avoid any influence that may affect how service delivery is performed and decisions are made.

A Conflict of Interest register is kept to document any perceived or actual conflict of interests A register of community groups and other local agencies is also kept. Any person can ask to see these registers. Information can be requested at any time regarding a specific service or individual on the register to explore any perceived conflict of interest. This is done to offer transparency in who we work with and to give an overview of services available in the wider area.

Should a referral or recommendation to a service be made, Life Independence will declare any relationship we have with that person, service or business. If that person is a family member or other close relationship, this information will be recorded on the Conflict of Interest Register for viewing. Should a client or prospective client wish to report a conflict of interest or perceived conflict of interest they can do so via the service website at any time or contact the service directly. The website provides resources and information for contacting advocacy groups and other organisations available to assist the person understand their rights and assist in reviewing the actions of Life Independence. Complaint and Compliments forms are available at any time to report a conflict of interest resulting in a negative outcome to the level or quality of service received. This form can be given to any representative of Life Independence who will investigate the matter and supply a written response within 14 days of the report being made. If the outcome of the investigation is not satisfactory or you do not feel comfortable with the approach taken by Life Independence, the service will help you contact an oversight body such as the Quality & Safeguards Commission and/or the National Disability Insurance Agency. Advice and action can be sought from these agencies regarding any conflict of interest that you believe has harmed the service received.