

Managing Conflict of Interest Policy

1. Purpose:

The [NDIS Terms of Business for Registered Providers](#) outlines that a registered provider, must act in the best interests of participants, ensuring that participants are informed, empowered and able to maximise choice and control. This document outlines the Y'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.

2. Scope:

This policy is applicable to all staff and volunteers of the Y who provide care and positive behaviour support to a person with a disability.

3. Policy:

The Y aims to act in accordance with its values and to comply with its general and specific obligations as a registered provider of supports under the NDIS

Managing Conflicts of Interest generally.

The NDIS Terms of Business for Registered Providers require providers to have policies about potential conflicts of interest in service delivery.

The Y and its employees will ensure that when providing supports to customers under the NDIS, any conflict of interest is declared and any risks to participants are mitigated.

All employees will act in the best interests of NDIS participants and other participants, ensuring that participants are informed, empowered and able to maximise choice and control. Staff members will not (by act or omission) constrain, influence or direct decision-making by a person with a disability and/or their family to limit that person's access to information, opportunities, and choice and control.

Employees will ensure that the Y proactively manages perceived and actual conflicts of interest in service delivery.

Employees will:

- manage, document and report on individual conflicts as they arise, and
- ensure that advice to a participant about support options (including those not delivered directly by the Y is transparent and promotes choice and control.

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.

Managing Conflict of Interest in Support Coordination

Participants will be presented with a range of choices about providers of supports. The Y will not seek to influence the customer to select itself.

For Support Coordination, ensuring that any perceived or actual conflict of interest is managed and achieved by:

- having in place a [Support Coordination Framework and Procedure](#)
- that guides the Support Coordinators in their role and practice.
- The Managing Conflict of Interest Policy is made available to customers and is communicated to them in a manner that the customer or their representative is most likely to understand
- documentation in case notes of the choice of providers offered (at least 3 where possible) to a participant and/or their nominee for each support category where a provider is to be engaged
- documentation, in case notes, of the rationale for the participant/nominee's choice of provider for each support category where a provider is engaged
- where a participant and or their nominee has chosen another Y service for service provision, a request for capacity or quote is documented by the Support Coordinator
- Support Coordination case notes are recorded in the Y's Customer Relationship Management system (CRM) at program level and are not viewable by another Y service. Specific information required by another service area can be requested through the Support Coordinator, as for any other (external) service provider
- eight-week progress reporting and nine-month outcome reporting require the Support Coordinator to report to the NDIA on how the participant and/or their nominee has been provided with a choice of providers and required to provide evidence and justification where another Y service has been engaged.
- provision of information to the participant and/or their nominee at the initial meeting of the process for requesting a change in service provider, including Support Coordination

4. Definitions:

NDIS - National Disability Insurance Scheme

NDIS Commission refers to The NDIS Quality and Safeguards Commission

Service User/ Participant/ Client - any person who is receiving services from the Y.

Staff - any person employed by Y Whittlesea by either paid employment or contract.

5. Related Policies

- Terms of Business for Registered Providers- NDIS
- Staff Code of Conduct Policy
- Service Delivery Policy

6. Related Procedures and Supporting Documents

- Support Coordination Framework
- Service Agreements
- YMCA Whittlesea website <https://whittlesea.ymca.org.au/>
- Recording Progress Case Notes Information sheet
- Service User Handbook

7. Legislative and Industry Requirements

- [Disability Act 2006](#) – (Vic)
- [National Disability Insurance Scheme Act 2013](#) – (Cth)
- [National Disability Insurance Scheme \(Registered Providers of Supports\) Rules 2013](#) – (Cth)
- [Charter of Human Rights and Responsibilities Act 2006](#) – (Vic)

The following Standards apply to this policy and supporting documentation:

- [NDIS Practice Standards and Quality Indicators](#)
 1. Rights and Responsibilities
 - Person-centred supports
 - Independence and informed choice

Specialist Support Coordination Module

 - Management of a Participant's NDIS Supports
 - Conflict of Interest
- [NDIS Code of Conduct](#)
- [National Standards for Disability Services](#)
 - Standard 1 – Rights
 - Standard 2 – Participation and Inclusion
 - Standard 3 – Individual Outcomes
 - Standard 4 – Feedback and Complaints
 - Standard 5 – Service Access
 - Standard 6 – Service Management

8. Consequences of Breaching this Policy

All elements of this policy must be adhered to, and any breach will be dealt with in accordance with the [YMCA Whittlesea Disciplinary and Termination Policy](#).

9. Policy Owner

The Community Services Manager is responsible for keeping this policy current - including making amendments as required, and regular reviews as scheduled.

10. Document Control

Review of this policy will be undertaken every two years, or prior as required by law, in consultation with appropriate YMCA personnel.

Policy available on Y-MAC>Communication>Manuals and Files>Policies and Procedures

This document is due for review on 31/05/2022.

Version	Description of Amendment, Approver and Date:	Amended by:	DCR Updated	New Issue Date:	Policy Location:
V2	Policy review and update of branding	Annette Jurisch	31/05/22	31/05/22	Shared:Drive>YMAC >Policies_Final>Community Services
V1	Policy creation, in line with NDIS Commission requirements	Annette Jurisch		26/06/20	Shared:Drive>YMAC >Policies_Final>Community Services