

Conflict of Interest in Service Delivery

Policy and Procedure

Document name	Conflict of Interest in Service Delivery	CEO approved	
Category	Organisational Governance		
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Purpose

The purpose of this policy and procedure is to set out how Identitywa Disability Services Limited (Identitywa) manages actual, potential and perceived conflicts of interest in service delivery, including conflicts relating to the provision of multiple supports and services to participants.

Who is this policy and procedure for?

The Policy and Procedure applies to all workers as well as participants, their families and representatives (i.e., support networks).

Conflicts of interests relating to board and committee members are managed through the Conflict of Interest – Directors Policy and Procedure. Worker conflicts of interest are managed through the Conflict of Interest – Workers Policy and Procedure.

Policy statement

Identitywa is committed to managing conflicts of interest in accordance with the [NDIS Code of Conduct](#) and [NDIS Practice Standards](#). When providing supports, including multiple supports to participants, we identify, disclose and manage conflicts of interest as set out in this policy and procedure. We ensure that our workers act in the best interest of participants by keeping them informed and supporting their choice and control over the services they receive.

Conflict of Interest

A conflict of interest in service delivery is where an organisation or person has an opportunity to put what benefits them (their own interests) ahead of the interest of the participant they are supporting. These conflicts may be:

- Actual – it happened or is happening.
- Potential – it might happen.
- Perceived – it seems like it has happened or might happen.

Under the National Disability Insurance Scheme (NDIS), Identitywa is a registered provider of multiple supports including Supported Independent Living (SIL), Short-Term Accommodation (STA), Specialist Disability Accommodation (SDA), Support Coordination, Therapy Services, and Social and Community Participation.

As a registered provider of multiple NDIS services, Identitywa will proactively manage conflicts of interest in service delivery as set out below.

Managing conflict of interest generally

Identitywa will ensure that participants and their support networks are:

- Informed of their right to include a support person or advocate when making decisions

about their supports and services.

- Offered information about Identitywa's services as well as other providers', in various formats and through multiple channels, including via the NDIS Provider website.
- Provided a copy of Identitywa's *Conflict of Interest in Service Delivery Policy and Procedure* prior to commencing services, given the opportunity to ask questions and kept informed of any changes.
- Informed that all participants accessing services will be treated equally and no participant shall be given preferential treatment or be influenced to choose Identitywa.
- Informed of Identitywa's complaints management process.

If a participant expresses interest in or chooses to receive multiple supports and services from Identitywa, we will declare an organisational conflict of interest and manage any risks. This will be documented and addressed using the *Conflict of Interest in Service Delivery Guidance (Declaration and Acknowledgment)*.

Managing conflicts of interest in specialist disability accommodation services (SDA)

- Participants and their support networks are supported to understand the distinction between the provision of SDA and other NDIS supports delivered in the dwelling.
- Identitywa will ensure that participants understand their right to separate the delivery of SDA and home support services.
- SDA processes, including reporting lines, are separate to other Identitywa services (e.g., SIL, Allied Health Services).
- Separate service agreements are provided when Identitywa is delivering SDA and other NDIS supports to the same participant.
- Identitywa will uphold the participant's housing rights including security of tenure, irrespective of any decision the participant makes about the provision of other NDIS supports within the SDA home.
- Identitywa's SDA services comply with the [NDIS \(Specialist Disability Accommodation\) Rules 2021](#) (SDA Rules), [NDIS Code of Conduct](#), [NDIS Practice Standards](#), and [WA Residential Tenancies Act 1987](#).

Managing conflicts of interest in support coordination and other services

- Identitywa's Support Coordinators, therapists and workers understand their roles and responsibilities in managing and documenting conflicts of interest.
- Support Coordinators maintain a separation of their roles from other service delivery teams, including clear separation of participant information and documentation.
- Support Coordinators and therapists recommend and provide supports and services that would best suit a participant's needs. When possible, at least three (3) choices are given to participants when they are exploring options for services and/or providers.
- Support Coordinators complete an NDIS Progress Report to evidence how the client has been provided choice in providers through outcome reports.
- Separate Schedules of Supports are provided when Identitywa is delivering support coordination and other NDIS funded supports to the same participant.
- Information that is provided to participants on available providers is documented.

Procedure

Declaring and managing conflicts in service delivery

A conflict of interest may arise when a participant/representative expresses interest in or chooses to receive more than one support and/or service from Identitywa. In this instance, Identitywa must disclose any conflicts of interest when offering and delivering multiple supports and services, as set out below:

Step 1

- Participant or their representative express interest in or chooses to receive more than one support and/or service from Identitywa (see Appendix A).

Step 2

- Relevant worker provides a copy of the – *Conflict of Interest in Service Delivery Guidance* – to participant/representative (see Appendix A).

Step 3

- Worker explains to the participant/representative the purpose of the *Guidance* and what constitutes a conflict of interest in service delivery as set out in **Part A - Guidance**.

Step 4

- Worker completes **Part B – Declaration** to report the conflict, as well as appropriate management strategy in consultation with participant/representative.

Step 5

- Worker and participant/representative completes **Part C – Acknowledgement** to confirm the conflict has been explained, understood and appropriately managed.

Step 6

- Worker offers/provides a copy of the *Guidance* to the participant/representative for their records.

Step 7

- Worker saves the signed *Guidance* to participant's Carelink file – Service Agreement – and emails a copy to the Quality and Compliance Team at quality.feedback@identitywa.com.au

Step 8

- The Quality and Compliance Team includes details in the Conflict of Interest Register, which is managed in accordance with Identitywa's *Privacy Policy and Procedure*.

Gifts and benefits

In the NDIS context, a conflict of interest can arise if a participant or a member of their support network gives gifts, money or other benefits to a worker. To maintain integrity, workers must share benefits of nominal value (up to \$20) with colleagues. Benefits exceeding \$20 may be accepted under special circumstances, in *accordance with the Gifts and Benefits Policy and Procedure*, and must be declared and managed using the *Conflict of Interest Declaration Form – Workers*.

Monitoring and review

- The Quality and Compliance Team will review this policy and procedure annually to ensure its continued application and relevance.
- Individual conflicts of interest will be monitored, reviewed and updated on the Conflict of Interest Register at least annually or as required.

Participants and/or their representatives can provide feedback or lodge complaints regarding conflicts of interest as per Identitywa's *Complaints and Feedback Policy and Procedure*.

Compliance

- Workers must avoid engaging in, participating in, or promoting practices that are unethical, unscrupulous or not in the interests of participants.
- Any worker who engages in such behaviour breaches this policy and procedure and will be subject to further training, disciplinary or other legal consequences, up to and including termination of employment or contract.

Feedback and complaints

Participants and/or their representatives can provide feedback or lodge complaints regarding conflicts of interest as per Identitywa's Complaints and Feedback Policy and Procedure, available on Identitywa's website.

How do we know we are getting it right?

- Participants have access to advocacy to act in their best interest, address any concerns, seek appropriate solutions to mitigate conflict of interest as required.
- The *Conflict of Interest in Service Delivery Policy & Procedure* and related *Guidance* is readily available to workers, participants and their support networks.
- Conflicts of interest relating to the provision of multiple services are reported and documented in the Conflict of Interest Register in a timely manner as demonstrated by internal audits/reviews.
- Worker induction and ongoing training are implemented to ensure conflict of interest risks are mitigated.

Definitions

Actual Conflict of Interest

A person is being influenced by a conflict of interest (i.e., the conflict is obvious).

Benefit

Any product, service or advantage given to a person due to their work. This may include money, gift cards, gifts, discounts or favourable treatment.

Conflict of Interest

A conflict of interest occurs when a person or organisation has an opportunity to put what will benefit them (their own interests) ahead of the interests of the person they are supporting.

Participant

A person supported by Identitywa, such as a client, resident, or other recipient of services.

Perceived Conflict of Interest

A person could appear to be influenced by a conflict of interest.

Personal interest

Refers to a person's own interests and those of their family and friends, and/or any organisations they support or are involved with.

Potential Conflict of Interest

A person could be influenced by a conflict of interest in the future.

Specialist Disability Accommodation (SDA)

A range of housing made for people with very high needs or complex disability.

Support Coordination

NDIS support that helps participants:

- Understand their NDIS plan to achieve their goals.
- Connect participants with NDIS registered service providers, mainstream and community supports, and other government services.
- Build confidence and skills in clients to use and coordinate their support.

Worker

A person who carries out work in any capacity for a person conducting a business, including work as:

- A worker is any person employed by Identitywa.
- A contractor or sub-contractor/sole trader
- A worker of a contractor or sub-contractor or sole trader
- A student, trainee, apprentice, or volunteer.

The legal and regulatory requirements we have to follow

[Conflicts of interest in the NDIS provider market | NDIS](#)

[National Disability Insurance Scheme \(NDIS\) Act 2013](#)

[NDIS Practice Standards and Quality Indicators](#)

[NDIS Code of Conduct](#)

[NDIS \(Complaints Management and Resolution\) Rules 2018](#)

[NDIS \(Specialist Disability Accommodation\) Rules 2021](#)

[Residential Tenancies Act 1987 \(WA\)](#)

Other related documents

Advocacy Policy and Procedure

Complaints and Feedback Policy and Procedure

Conflict of Interest – Directors Policy and Procedure

Conflict of Interest – Workers Policy and Procedure

Conflict of Interest in Service Delivery Guidance

Conflict of Interest Register

Gifts and Benefits Policy and Procedure

Identitywa Code of Conduct

Privacy Policy and Procedure

Professional Boundaries Policy and Procedure

Rights Policy

Do you need to know more?

If you have any questions regarding policies, procedures, and reviews or if you would like to be involved in our policy development program, please contact the Quality and Compliance Team: Contact - Telephone: (08) 9474 3303.

Accessibility

If you are a participant, or part of the participant's support network, speak a language other than English and you need an interpreter, you can contact the Translating and Interpreting Service (TIS) for free translation services. Dial 131 450 and ask your interpreter to call (08) 9474 3303 for you.

If you're deaf or find it hard to hear or speak to hearing people on the phone, call the National Relay Services (NRS) TTY 133 677.

Appendix A

Examples – Use of Conflict of Interest in Service Delivery Guidance

The table below provides examples where the *Conflict of Interest in Service Delivery Guidance* must be completed. The worker approached by the participant/representative with an enquiry or request regarding multiple Identitywa supports or services must complete the Guidance in consultation with the participant or their representative.

Context	Example	Relevant Worker Completing Form
Onboarding	A participant or their representative asks about Identitywa SIL and Allied Health Services.	Community Engagement Advisor
Signing of Service Agreement	A participant to receive SIL services and enquires about our support coordination services.	Planning Officer
Short-Term Accommodation (STA)	A participant's family members asks a Community Coordinator about our Speech Therapy Services during an annual review of the participant's support plan.	Community Coordinator
Supported Independent Living (SIL)	A SIL participant or their representative asks a support worker about our Occupational Therapy Services. The support worker refers the request to the Team Leader who will liaise with the participant about the Guidance.	Team Leader
Specialist Disability Accommodation (SDA)	An SDA participant or their representative contacts the Housing Team and makes an enquiry about Identitywa Support Coordination Services.	Manager Housing
Support Coordination	A participant or their representative asks their Identitywa Support Coordinator about our STA options.	Support Coordinator
Clinical or Allied Health Services	A participant or their representative asks an Identitywa registered nurse or other therapist about other allied health/nursing services offered by Identitywa.	Allied Health Team Member
Phone Enquiry	A family member of a SIL participant contacts a Service Manager to discuss SDA options.	Service Manager