

NDIS and Conflict of Interest Policy and Procedures

Policy

Yellowbird Wellbeing aims:

- To act in accordance with its values;
- To comply with its general and specific obligations as a registered provider of supports under the National Disability Insurance Scheme

Procedures

As a registered provider of supports under the National Disability Insurance Scheme, Yellowbird Wellbeing has responsibilities in relation to:

- managing conflicts of interest generally
- managing conflicts of interest in plan management and support coordination, and
- offering or receiving gifts, benefits and commissions.

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.

Yellowbird Wellbeing and its team members will ensure that when providing supports to clients under the NDIS, including when offering plan management or support coordination services, any conflict of interest is declared and any risks to customers are mitigated.

All employees will act in the best interests of NDIS participants and other customers, 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 so as to limit that person's access to information, opportunities, and choice and control.

Employees will ensure that Yellowbird Wellbeing 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 Yellowbird Wellbeing) is transparent and promotes choice and control.

As required by the NDIA 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". (See note below.)

Managing conflict of interest in plan management and support coordination

<Where separation of functions is viable>

- The Yellowbird Wellbeing team [as directed] is responsible for plan management and support coordination only, if AHPRA registered specialist support coordination.
- The team reports to owner/CEO.
- Clients will be presented with a range of choices about providers of supports and not only Yellowbird Wellbeing and staff will not seek to influence the customer to select Yellowbird Wellbeing.
- Brief notes will be made in Power Diary [CRM] & emails retained in Xero linked account confirming the advice given to the client.

<Where complete separation of functions is non viable>

Members of the Yellowbird Wellbeing team performing plan management and support coordination functions will ensure that:

- the organisation's risk register and/or conflict of interest register includes the ongoing potential conflict of interest
- they declare to clients the potential conflict of interest of Yellowbird Wellbeing being both plan manager or support coordinator and a provider of other supports and affirm that the organisation will act as directed by the client and in the best interests of the customer
- [example only, where other providers are available]: clients will be presented with a range of choices about providers of supports and not only Yellowbird Wellbeing and staff will not seek to influence the client to select Yellowbird Wellbeing
- [example only, where other providers are not available, such as a country town which only has one provider]: clients will:
 - [example only] be presented with options regarding self-employment, and/or
 - emphasise feedback and complaint mechanisms and the right to support from an advocate should the customer have any concerns about supports provided
- [example only, where other providers do not currently have spare capacity]: clients will be presented with options regarding support delivery in the future, including whether they would like to be weight-listed with other providers
- Brief notes will be made in Power Diary [CRM] & emails in Xero linked account confirming the advice given to the customer.

Gifts, benefits and commissions and the NDIS

Yellowbird Wellbeing or its staff must not accept any offer of money, gifts, services or benefits that would cause them to act in a manner contrary to the interests of an NDIS participant. Further, employees must have no financial or other personal interest that could directly or indirectly influence or compromise the choice of provider or provision of supports to a participant. This includes the obtaining or offering of any form of commission by employees or Yellowbird Wellbeing.

References

- National Disability Insurance Scheme (Registered Providers of Supports) Rules 2013
- Terms of Business for Registered Providers (effective 1 July 2016)

Notes

This does not prevent providers determining which people they will accept as clients on the basis of considerations such as: provider capability; the consequences of NDIS price caps; location; work health and safety; customer mix; and, risk appetite.