

Conflict of Interest Policy

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Policy Intention

This policy outlines the process Hand in Hand Home and Community Care (VIC) must take in managing any perceived or actual conflicts of interest in relation to the contracting and delivery of supports to participants of the NDIS Commission (NDIS).

Hand in Hand Home and Community Care (VIC) is committed to ensuring that any potential conflicts of interest are identified and managed in a manner that ensures participants retain choice and self-determination in relation to the use of their funding and the integrity of the organisation is protected.

The NDIS Commission Terms of Business have clarified that registered providers must not 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.

This policy and procedure apply to the all Hand in Hand Home and Community Care (VIC) NDIS services.

Hand in Hand Home and Community Care (VIC) provides direct supports as well as Support Coordination services. These services are do not conflict as Hand in Hand Home and Community Care (VIC) will only provide services to the Participant if it is in the Participants best interest based on their needs and their plan.

This will be reflected throughout any service transitions and will form the basis of any services that Hand in Hand Home and Community Care (VIC) provides.

Definitions

Conflict of Interest: A conflict of interest may occur in the situation where Hand in Hand Home and Community Care (VIC) as a registered provider enters into a Service Agreement with a participant to deliver Plan Management, or Coordination of Supports and other funded supports included in a participant's plan.

Policy Scope

Conflict can occur between the organisation's interest and the participant's interest. For example, a conflict of interest exists when an organisation is in a position to benefit by both managing a participant's plan and providing Support Coordination and other types of supports to a participant, when it may not be in the participant's best interests to receive both from the same provider.

A conflict of interest can occur when Hand in Hand Home and Community Care (VIC), through their Support Coordination (where provided), refers the participant to another service offered by Hand in Hand Home and Community Care (VIC) when there are alternative organisations that provide the same type of service, and which may better meet the needs of the participant.

In some locations there may be limited service options available, but the participant has a right to know what options are available to them.

In these circumstances, it is incumbent on Hand in Hand Home and Community Care (VIC) to ensure participants are provided with transparent information and advice about the full range of options available to them, so they can exercise informed choice.

There may also be occasions when a participant exercises their choice to receive both types of supports from the same organisation because they prefer to deal with a single provider or have an on-going trusting relationship with that provider.

Once the participant makes an informed choice and the NDIS Commission has been consulted where necessary, the conflict of interest will have been appropriately dealt with.

Procedure

Managing Conflicts of Interest

When a potential conflict of interest has been identified, and before a service quote or Service Agreement is developed, Hand in Hand Home and Community Care (VIC) must:

- Advise the participant of the potential for a conflict of interest and explain how this can occur

- Advise the participant of alternative options for receiving Coordination of Support Level 2 and Coordination of Supports Level 3 or other supports from different providers
- All advice and information provided to a participant about support options (including those not directly delivered by Hand in Hand Home and Community Care (VIC)) will be transparent and promote choice and control
- Ensure the participant understands the potential conflict of interest by asking them to explain in their own words their understanding of what it means (this ensures informed consent)
- Obtain the participant's consent to proceed with the service quote or Service Agreement by drawing to their attention the consent clause contained in the Service Agreement with Hand in Hand Home and Community Care (VIC) and the participant
- It may be appropriate for the Director to contact the NDIA for advice before proceeding.
- Hand in Hand Home and Community Care (VIC) will manage conflicts of interest as they arise in line with NDIS Operational Guidelines or pricing arrangements and guidelines.

Further:

Staff providing Support Coordination Level 2 or Support Coordination Level 3 will differentiate between tasks and provide clear direction of roles to participants.

Hand in Hand Home and Community Care (VIC) staff or volunteers will not accept any offer of money, gifts, services or benefits that would cause them to act in a manner contrary to the interests of the participant.

Hand in Hand Home and Community Care (VIC) or its staff or volunteers will 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.

Recording a Conflict of Interest

All identified conflicts of interest are to be reported to the Director who will record them in the Conflicts of Interest Register.

The Conflicts of Interest Register will document:

- The participant's name;
- The participants NDIS number;
- The nature of the conflict of interest; and
- A summary of how the conflict was managed, including any advice from the NDIA

The Register will be routinely reviewed.