



## Conflict of Interest Policy

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### 1. Introduction

#### 1.1 Purpose

This Policy and the Policies and Procedures and related documentation set out in section 1.5 below (**Related Documentation**) supports Phoenix Community Project to apply the Governance and Operational Management NDIS Practice Standard.

#### 1.2 Policy Aims

Phoenix Community Project is committed to ensuring each participant's support is overseen by robust governance and operational management systems relevant (proportionate) to the size, and scale of the provider and the scope and complexity of supports delivered.

#### 1.3 NDIS Quality Indicators

In this regard, Phoenix Community Project aims to demonstrate each of the following quality indicators through the application of this Policy and the relevant systems, procedures, workflows and other strategies referred to in this Policy and the Related Documentation:

- (a) Opportunities are provided by the governing body for people with disability to contribute to the governance of the organisation and have input into the development of organisational policy and processes relevant to the provision of support and the protection of participant rights.
- (b) A defined structure is implemented by the governing body to meet a governing body's financial, legislative, regulatory and contractual responsibilities, and to monitor and respond to quality and safeguarding matters associated with delivering support to participants.
- (c) The skills and knowledge required for the governing body to govern effectively are identified, and relevant training is undertaken by members of the governing body to address any gaps.
- (d) The governing body ensures that strategic and business planning considers legislative requirements, organisational risks, other requirements related to operating under the NDIS (for example Agency requirements and guidance), participants' and workers' needs and the wider organisational environment.
- (e) The performance of management, including responses to individual issues, is monitored by the governing body to drive continuous improvement in management practices.
- (f) The provider is managed by suitably qualified and/or experienced persons with clearly defined responsibility, authority and accountability for the provision of support.
- (g) There is a documented system of delegated responsibility and authority to another suitable person in the absence of a usual position holder in place.
- (h) Perceived and actual conflicts of interest are proactively managed and documented, including through development and maintenance of organisational policies.

#### 1.4 Scope

- (a) This Policy applies to the provision of all services and supports at Phoenix Community Project.

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- (b) All permanent, fixed term and casual staff, contractors and volunteers are required to take full responsibility for ensuring full understanding of the commitments outlined in this Policy.

## 1.5 Related Documentation

The application of the above NDIS Practice Standard by Phoenix Community Project is supported in part by and should be read alongside the Policies and Procedures and related documentation corresponding to this Policy in the Policy Register.

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## 2. Definitions

### 2.1 Definitions

In this Policy:

**Phoenix Community Project** means Phoenix Community Project Inc ABN 41 890 957 986.

**Client** means a client of Phoenix Community Project (including an NDIS participant).

**Legislation Register** means the register of legislation, regulations, rules and guidelines maintained by Phoenix Community Project.

**Policy Register** means the register of policies of Phoenix Community Project.

**Principal** means Jamie-Lee O'Connor.

**Related Documentation** has the meaning given to that term in section 1.1.

**Worker** means a permanent, fixed term or casual member of staff, a contractor or volunteer employed or otherwise engaged by Phoenix Community Project and includes the Principal.

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## 3. Policy Statement

### 3.1 General

- (a) Phoenix Community Project and its Workers will ensure that when providing supports to Clients under the NDIS, any conflict of interest is declared and any risks to Clients are mitigated.
- (b) All Workers will act in the best interests of its Clients, ensuring that they are informed, empowered and able to maximise choice and control. Workers 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.
- (c) Workers will ensure that Phoenix Community Project proactively manages perceived and actual conflicts of interest in service and support delivery. Workers will:
  - (1) manage, document and report on individual conflicts as they arise, and
  - (2) ensure that advice to a Client about support options (including those not delivered directly by Phoenix Community Project is transparent and promotes choice and control.
- (d) All Clients will be treated equally, and no Client shall be given preferential treatment above another in the receipt or provision of supports.

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### 3.2 Managing conflict of interest in Support Coordination

- (a) Clients will be presented with a range of choices about providers of support. Phoenix Community Project will not seek to influence the Client to select itself.
- (b) As Phoenix Community Project provides support coordination as well as other supports to Clients, Clients are always informed of other alternative providers available to provide necessary support, enabling Clients and families to exercise their choice and control in the support received. Clients and families are also informed of any relevant conflicts with other providers who may have a relationship with Phoenix Community Project, where this is relevant.
- (c) Specifically and where conducting support coordination services to a Client, to ensure that any perceived or actual conflict of interest is managed, Phoenix Community Project will:
  - (1) explain this Policy to Clients in a manner that the Client is most likely to understand.
  - (2) to ensure there is no conflict of interest, when our support coordinators obtain quotes for services on a Client's behalf, endeavour to always provide 3 quotes (if possible) from other services, in addition to our own. It is then the Client's decision if they would like to choose our services and support or go with another provider.
  - (3) make clear to the Client that their decision to choose an alternative provider will not affect their support coordination services at all, as they operate independently from each other, and that the Client need to be worried about any repercussions.
  - (4) document, in case notes, the choice of providers offered to a Client and/or their nominee for each support category where a provider is to be engaged.
  - (5) document, in case notes, the rationale for the Client's choice of provider for each support category where a provider is engaged.
  - (6) where a Client has chosen another Phoenix Community Project service for service provision, a request for capacity or quote is documented by the support coordinator.
  - (7) provide information to the Client and/or their nominee at the initial meeting of the process for requesting a change in service provider, including support coordination.

### 3.3 Relevant Legislation, Regulations, Rules and Guidelines

Legislation, Rules, Guidelines and Policies applies to this Policy and Related Documentation as set out in the Legislation Register.

### 3.4 Inconsistency

If and to the extent that the terms of this Policy are or would be inconsistent with the requirements of any applicable law, this Policy is deemed to be amended but only to the extent required to comply with the applicable law.

### 3.5 Policy Details

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