

Conflicts of interest in regional, rural and remote areas

This fact sheet is for participants and providers and will explain:

- service delivery in regional, rural and remote areas
- conflict of interest
- remote area scenario
- what good practice looks like
- what participants can do if they identify a conflict of interest.

Service delivery in regional, rural and remote areas

Conflicts of interest between NDIS participants and providers are more likely to occur in regional, rural and remote areas. This is because of the smaller population sizes and greater connections between people. A conflict of interest may be experienced due to close personal relationships, such as friends and family, or due to the connections that exist between organisations and their workers.

The National Disability Insurance Agency (NDIA) recognises that it may not always be possible to avoid all conflicts of interest in regional, rural and remote areas. Therefore, both providers and participants must be aware that conflicts of interest may exist and proactively manage any potential risk by having open, honest and transparent conversations about how to best manage these scenarios.

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.

These conflicts may be:

- actual – it happened or is happening
- potential – it might happen
- perceived – it seems like it has happened or might happen.

Examples of conflicts of interest:

- One provider delivering multiple NDIS supports and services
- A family member or close friend working for the NDIS provider a participant receives services from.
- A provider only referring to organisations they have a strong personal connection with, or intentionally not referring to specific organisations they have a personal connection with.
- A support worker working for multiple NDIS providers in a community.
- An NDIS provider owning multiple businesses in the local area.

Remote area scenario

Grace and Harold are participants who live in a remote community. Jerimiah their support coordinator, approached Grace and Harold as they were on their way home from the local shop and asked them to change to a new therapy provider who had recently started up in their local community.

Jerimiah approached them without an interpreter, family member or decision supporter to help them understand the situation. He also did not mention that he was related to the new therapy provider.

Grace and Harold are happy with their current therapy provider. When they get home, they mention to their families that Jerimiah asked them to change to the new therapy provider.

Grace's family are aware of the relationship between Jerimiah and the new therapy provider. They ask Grace if Jerimiah explained or disclosed his relationship with the new therapy provider. She replies that he did not.

Outcome 1

Since Grace is happy with her current therapy provider, she and her family speak with Jerimiah and explain that she would like to continue her current supports and not change to the new therapy provider.

Jerimiah acknowledges that the interaction may have left Grace feeling pressured and unsure of her options. He also acknowledges that he should have disclosed his relationship with the new therapy provider, so Grace would know about the potential conflict of interest and could make an informed decision.

Outcome 2

Grace's family think Jerimiah's actions are a potential conflict of interest. Grace consents to her family contacting Jerimiah to discuss the issue. Although he acknowledges their concerns Grace's family still feel unsure and report the conflict of interest and potential breach of the [NDIS Code of Conduct](#) to the NDIS Quality and Safeguards Commission.

What good practice looks like

All providers must act with integrity, honesty and transparency. This means they should disclose any real, perceived or potential conflicts of interest when offering and delivering supports and services.

In regional, rural and remote areas there may be fewer providers to deliver supports. This means that NDIS participants are more likely to come across actual, potential or perceived conflicts of interest in their day-to-day engagement with NDIS providers.

Providers are expected to:

- recommend and provide supports and services that would best suit a participant's needs.
- where possible provide at least 3 or more support or service options
- declare and avoid any real or perceived conflicts of interest
- keep accurate and up to date records of management of a conflict of interest and provide copies to all parties involved
- avoid engaging in, participating in, or promoting 'sharp practices', or practices that are unethical, unscrupulous or not in the interests of participants
- comply with the Commonwealth *Privacy Act 1988* and state and territory privacy laws.

The [Conflicts of Interest declaration form](#) can help providers document how they manage conflicts of interest.

The [what is a provider?](#) page on the NDIS website can help participants decide whether a provider is a good fit for them.

The [NDIS Code of Conduct](#) promotes safe and ethical service delivery by setting out expectations for the conduct of both NDIS providers and workers.

What participants can do if they identify a conflict of interest

If you identify a conflict of interest or are concerned that your provider is not acting in your best interests, you should talk to someone you trust, such as your nominee, family member or decision supporter.

You can also talk to your My NDIS contact whose name is on your NDIS plan or your remote community connector. They can help make sure you are safe.

You should also read any documents you received from your provider when you signed up for supports and services. Such as your service agreement or intake pack to identify steps or options outlined by your provider to discuss the conflict.

You may want to talk directly to your support coordinator or provider to explain your concerns. You can seek support from an advocate or someone you trust to help you have this conversation.

Ask questions:

You can ask your provider questions such as:

- Do you have a conflict of interest policy or procedure document for me to read?
- Can you provide a list of alternative providers?
- Do you or your organisation have a connection or relationship with the providers you have recommended?

Make a complaint

- If you are concerned about the quality or safety of your current NDIS supports, you can make a complaint to the [NDIS Quality and Safeguards Commission](#) on their website or call them on 1800 035 544.
- If you feel your NDIS funding has been misused, you can [report suspicious behaviour](#) to the NDIA.
- If you are at immediate risk of harm, or have concerns about a person's wellbeing, call 000 at once.

National Disability Insurance Agency

[ndis.gov.au](https://www.ndis.gov.au)

Telephone 1800 800 110

Webchat [ndis.gov.au](https://www.ndis.gov.au)

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TIS: 131 450

For people who have hearing or speech loss

TTY: 1800 555 677

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National Relay Service: relayservice.gov.au