

Conflicts of interest – Plan management

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

- the role of a plan manager in the NDIS
- conflict of interest
- plan management scenario
- what good practice looks like
- what participants can do if they identify a conflict of interest

The role of a plan manager

[Plan managers](#) help National Disability Insurance Scheme (NDIS) participants manage their plans and funding budgets. They should also help participants identify and manage conflicts of interest.

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:

- A plan manager providing other NDIS-funded supports.
- A plan manager paying themselves for support services.
- A plan manager referring or recommending a participant to a provider they have a relationship or arrangement with, such as a financial incentive.

Plan management scenario

Ravi is an NDIS participant and receives plan management services. While signing a new service agreement, he mentions to his plan manager that he is looking for a provider for social, economic, and community participation supports. The plan manager tells Ravi that the organisation they work for offers those supports, and so the plan manager connects Ravi with a support worker from their organisation.

Ravi starts receiving his supports, and things are going well. The support worker finds a local social group that Ravi would like to join, and the plan manager has been in communication with Ravi to check the supports he has received from other providers.

After a few months of receiving supports, Ravi notices that the plan manager has only been checking the services provided to him by other organisations. He also notices that the social, economic and community participation supports provided to him by the plan manager's organisation have not been claimed as per the service agreement. The plan manager has not checked these supports with him and has claimed for more hours than were actually delivered.

Outcome 1

Ravi contacts his plan manager to say that the claims being processed are not what was delivered or agreed in the service agreement. The plan manager acknowledges that they should have checked that the service was provided before paying the invoice, regardless of whether they are provided by the same organisation. To make

sure this doesn't happen again, the plan manager puts a process in place to check all invoices for all organisations, including their own.

The plan manager also acknowledges that making payments to their own organisation is a potential conflict of interest. This should have been disclosed and managed when connecting Ravi to a support worker in the same organisation. Ravi and his plan manager discuss what this means, and the plan manager tells Ravi that if it makes him more comfortable, they can connect him with a support worker from a different organisation.

The support worker acknowledges the error in invoicing the incorrect amount of hours and the plan manager refunds Ravi's NDIS plan.

Outcome 2

Ravi contacts his plan manager to raise his concerns. Unfortunately, his plan manager is dismissive of his concerns, so Ravi contacts the NDIS Quality and Safeguards Commission to report the conflict of interest. Ravi also decides to change plan management providers.

Ravi continues to look at other options for social, economic and community participation supports in the local area.

What good practice looks like

All providers, including plan managers, must act with integrity, honesty and transparency and disclose any real, perceived, or potential conflicts of interest when offering and delivering supports.

Plan managers are expected to:

- declare any connections and relationships with other providers
- keep accurate and up to date records of management of a conflict of interest and provide copies to all parties involved
- declare supports and services delivered by their own organisation
- 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 Practice Standards](#) set out what registered NDIS providers are required to do to avoid real or perceived conflicts of interest in the delivery of supports and services.

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 plan management provider is not acting in your best interests, you should talk to someone you trust, such as your nominee, family member, friend or decision supporter.

You can also talk to your My NDIS contact, whose name is on your NDIS plan. 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 to explain your concerns. You can seek support from someone you trust to help you have this conversation.

Ask questions

You can ask your plan manager 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 provider options?
- 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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National Relay Service: [relayservice.gov.au](https://www.relayservice.gov.au)

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