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What participants can do if they identify a conflict of interest

Most NDIS providers do their best to anticipate, avoid, manage and declare conflicts of interest. If you feel unsure or uncomfortable, you have the right to ask questions, seek assistance or make a complaint.

If you are concerned there is a conflict of interest with your National Disability Insurance Scheme (NDIS) provider, you should follow these steps:

- talk with your provider
- manage the conflict of interest
- monitor the conflict of interest
- raise your concerns
- change service providers

What to do if there is a conflict of interest

Step 1. Talk with your provider

Your provider should anticipate any conflicts of interest and takes steps to avoid it. They should have an open, honest, and transparent discussion with you about a conflict of interest.

You can seek support from an advocate or someone you trust to help you have this conversation.

What this should look like:

- Your provider has a conversation with you about a conflict of interest
- You agree on how to manage the conflict of interest.
- Your provider shares with you their conflict of interest policy and procedures.
- You have a supportive environment to raise concerns.

You can ask your provider questions such as:

- Do you have a conflict-of-interest policy or procedure document that I can read?
- Is there a connection or relationship between you, or your organisation and the services you are providing or options you are recommending?
- Are these the best options for me based on my circumstances?

You can ask your support coordinator, recovery coach or plan manager questions such as:

- Have you explored alternative options for the supports and services you are recommending?
- Can you provide a list of alternative provider options for the supports and services you are recommending?

After talking with your provider, you might like to think about the following questions:

- What happened during the discussion?
- What did you learn?
- How did this information make you feel?
- Are you confident and comfortable about the decisions made?
- Do you want anything to change?
- Do you want to talk to a trusted person?

If you feel comfortable and safe, and you want to continue to receive supports from your provider, go to Step 2.

If your provider is not being transparent and honest in discussing the conflict of interest, or your provider pressures or coerces you to make a decision, go to Step 4.

If you do not want to continue to receive supports from this provider, you can change service provider, go to Step 5.

Step 2. Manage the conflict of interest

Your provider should manage the conflict of interest to the highest standard.

What this should look like:

- Your provider discusses the risks associated with the conflict of interest with you.

- Your provider works with you to develop a management plan.
- Your provider gives you a copy of the declaration form and management plan.

If you are confident your provider has taken appropriate steps to record and manage the conflict to the highest standard, go to Step 3.

If your provider is not being transparent and honest with you in discussing, documenting, and managing the conflict of interest, or if your provider pressures or coerces you to make a decision, go to Step 4.

Step 3. Monitor the conflict of interest

To monitor the conflict well, your provider should:

- offer a supportive environment for you to raise your concerns
- Document the conflict and risk management strategies
- Arrange a regular review of the conflict every 6-12 months
- Give you a signed copy of the conflict of interest declaration form, including the arrangements you have agreed to.

If your provider does not offer the above, go to Step 4.

Step 4. Raise your concerns

There are a few ways you can raise your concerns to ensure a conflict of interest is managed to the highest standard.

You can give feedback directly to your provider

- You might like to give feedback to your provider if you feel comfortable.
- You should ask yourself if the provider has been open to hearing your concerns to support a resolution.
- After hearing your feedback your provider should document any changes being made to how the conflict will be managed and then continue to review the conflict every 3-6 months.
- If you feel pressured by your provider to make a decision or sign a document, you can tell them that:
 - you would like time to think about it
 - you would like to speak with a trusted person.

You can speak with a trusted person

- If you do not feel comfortable giving feedback to your provider, or they are not open to hearing your concerns and coming to an agreement, you should speak with a trusted person about your concerns and the options available.
- A trusted person could be your nominee a decision supporter, an advocate, a family member, or a friend.
- You can read about how an advocate can help you.
- There is a list of disability advocacy agencies on the [Department of Social Services](#) website.

You can speak with your NDIA planner

If you do not have a trusted person to talk to, or if they are unable to help you, you can speak with your NDIA planner, local area coordinator or early childhood partner in the community about your concerns and what other options may be available.

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 can contact the NDIS Quality and Safeguards Commission

You can make a report to the [NDIS Quality and Safeguards Commission](#) on their website or call them on 1800 035 544 if:

- you have tried the above steps, and your provider has not responded to the issues you raised
- you are concerned about the quality or safety of your current NDIS supports.

You can report funding misuse

- If you feel your NDIS funding has been misused, you can [report suspicious behaviour](#) to the NDIA.

For emergencies call 000

If you are at immediate risk of harm, or have concerns about a person's wellbeing, call 000 at once.

Step 5. Change service providers

You can decide to change service providers. You should review your service agreement if you have one, which will say what you need to do. There may be a separate document called a cancellation policy.

You can talk to your My NDIS contact, whose name is on your NDIS plan, your support coordinator if you have one, or use the [Provider finder](#) on the NDIS website to help you find a new provider.

Resources

Visit the [Conflicts of interest](#) webpage for forms, factsheets, checklists and more information on conflicts of interest

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