

013 – CANCELLATION OF SERVICE DELIVERY UNDER NDIS POLICY STRATEGIC POLICY



POLICY TITLE:	013 – CANCELLATION OF SERVICE DELIVERY UNDER NDIS POLICY		
VERSION:	004	DATE EFFECTIVE:	01/09/2017
AUTHORISED BY:	Chairperson	DATE REVIEWED:	10/05/2022

INTRODUCTION

ARC Disability Services Inc. (ARC) is a not-for-profit public institution registered as a Provider of Supports, Supports Coordination and Plan Management under the National Disability Insurance Scheme (NDIS). It is the policy of ARC to ensure all members of the Board, Managers, Staff and Participants are made aware of their responsibility to adhere to the *National Disability Insurance Scheme Act 2013 (Cth)* and subsequent Rules and Terms of Business in the delivery of any and all supports claimable by ARC through the scheme. This policy complies with the National Disability Insurance Agency (NDIA) cancellation of services provisions.

PURPOSE

This policy will give guidance and direction to members of the Board, Management, Members of Staff and Participants of ARC regarding policy and procedure to minimise the risk of cancellation, no show or late change to a scheduled support.

SCOPE

This policy applies to all Board Members, employees, volunteers and participants who access or deliver ARC services.

IMPLEMENTATION

Cancellation of Service Delivery by either party only occurs when there has been a breach of the Service Agreement as outlined below under procedures.

ARC acknowledges, that all people with disability have the choice and control to change service providers, or have more than one single service provider, and therefore the right to cancel the delivery of selected or all services at their discretion.

It is acknowledged, from time to time, that a Participant and/or Participant's representative, or ARC may need to either cancel a shift or period of shifts, or change the rostered hours for the delivery of NDIS supports, due to either a planned change in schedule (e.g. holiday) or short term unforeseen circumstances such as illness, a family emergency, extreme weather etc.

Termination of the Service Delivery Agreement is different from the cancellation of the delivery of services. Termination occurs when either the participant or organisation concludes the provision of services.

PROCEDURES

CHANGE OR CANCELLATION OF ROSTERED SHIFT

Should the participant and/or participant's representative have a need to change the rostered hours or cancel a shift, a minimum notice of 3pm the day prior (the notice period) must be provided to an appropriate staff member of ARC, unless it is an unforeseeable emergency health situation of the Participant, in which case notice should be given as soon as it is known that the shift will need to be cancelled.

In the event that the notice period is not provided, provisions under the following Cancellation Procedure may apply. ARC exercises its right to use discretion in some cases where an alternate agreed solution may be an outcome.

Should ARC have need to change the rostered hours or cancel a shift, ARC will provide no less than 12 hours' notice, and another suitable staff member will be scheduled to deliver service as soon as possible.

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CANCELLATION OF A ROSTERED SHIFT WITHOUT NOTICE “NO SHOW”

Where a Participant fails, without notice, to keep the rostered arrangement for the support, ARC will make every effort to contact the individual to determine if there is an emergency, or there has been an unforeseeable short term change or ability of the client to receive service delivery in this circumstance.

If the Participant is then deemed to have cancelled without notice, and without reasonable excuse, or requests a worker leave earlier than their rostered shift requirement, ARC has the right to lodge a payment claim for part or all of the rostered hours against the participants NDIS Plan.

CANCELLATION OF THE SERVICE AGREEMENT

The Service Agreement can be cancelled if ARC or the Participant and/or Participant’s representative:

- Fails to do what is required of them under the Service Agreement;
- Fails to comply with the policies and procedures of ARC;
- Fails to communicate and provide information pertaining to changes to support needs;
- Workplace Health and Safety considerations are ignored; or
- Communication has broken down between the Parties

Under the NDIS Act, cancellation can be immediately applied by both parties. However, ARC will always work in the best interest of the person with disability to achieve a safe transition to a new provider of services. Upon cancellation of the Service Agreement by either party, ARC will take all steps to ensure:

- The cancellation of service has been reported to the NDIA;
- All support that has been provided under the terms of the Service Agreement have been claimed and paid for; and
- That the person with a disability has alternative support solutions in place for their own safety and wellbeing.

RESOLVING DISPUTES OR COMPLAINTS BEFORE CANCELLATION OF SERVICE

ARC will act in the best interests of the Participant, ensuring that they are well informed, empowered and able to maximise choice and control over the implementation of their NDIS approved plan in terms of their own capacity, and the availability of supports and services within the North Queensland Region.

ARC 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, choice and control.

In the event that a client feels that ARC failed to deliver services in accordance with their NDIS Plan, and terms of their Service Agreement, ARC encourages the Participant and/or Participant’s representative to use the Grievance process to formally advise ARC of their concerns so that a resolution may be discussed.

If the Individual and/or their family wishes to give ARC feedback or make a complaint, the Participant and/or their family can talk to their Support Worker, their Coordinator or email feedback@arcinc.org.au.

REFERENCES

NDIS Act 2013

AUTHORISATION

This Policy is approved and issued by:



Elizabeth Brown

Chairperson

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