

# Governance and Partnership

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Sector guidance and tools for effective delivering supports in partnership for people with complex and challenging needs

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## **Governance guidelines for services supporting people with complex and challenging needs**

To deliver services to NDIS participants with complex support needs may require coordination and collaboration between a number of disability service providers as well as other services. To assist service providers to achieve the best outcomes for participants these guidelines and tools have been developed. Organisations may use one or all of the tools.

To prepare for partnering with other service providers you may wish to consider the factors in the table below.

Practice Tool 1 then helps you to identify the various issues that may arise. Not all individual or situational complexities may occur for every client. This tool focuses on the client. Only complete the sections that are relevant to your service.

Practice Tool 2 then takes you through the steps to developing effective partnerships. You may partner with a number of organisations when delivering services to a client or just one other.

Practice Tool 3 is crucial to provide clarity regarding roles and responsibilities. This can also form part of your Memorandum of Understanding with other service providers.

A template Memorandum of Understanding has been provided to assist organisation communicate the partnership arrangements to all relevant parties.

The *Privacy Act 1988* (Cth) and Australian Privacy Principles govern the collection, use and disclosure of personal information. Where organisations work closely together to support an individual, client information may need to be shared. Organisations should ensure that they have a privacy policy adequately dealing with the use and disclosure of personal information in this way. If there is any doubt regarding a client's expectations, express written consent should be obtained prior to any sharing of the client's personal information with another organisation. Your organisation may already have a consent form; alternatively the one provided in these guidelines can be used.

These tools are only a guide and may be adapted to suit the organisation's needs. These tools do not alter a party's legal obligations or responsibilities (whether to its clients, the NDIA, any other Government agency, or any other party).

## Why partner?

What	Why is it important	Recommended organisational response
Roles and responsibilities	<ul style="list-style-type: none"> <li>• Clear roles and responsibilities of all parties assist in a more coordinated delivery of services</li> <li>• Clear roles and responsibilities make the differing interests transparent and foster effective decision-making</li> <li>• Clearly defined roles and responsibilities support accountability</li> </ul>	<ul style="list-style-type: none"> <li>• The responsibilities of staff in each organisation are clear in relation to services being delivered</li> <li>• A governance charter, or governance statement outlines the structures, principles, and processes to be followed</li> <li>• Accountabilities are clear to staff in relation to internal processes and legislative compliance</li> </ul>
People and capability	<ul style="list-style-type: none"> <li>• Having staff who are experts increases the likelihood of positive outcomes for the organisation and participant</li> </ul>	<ul style="list-style-type: none"> <li>• Staff are provided with adequate support to learn the tools they need to use</li> <li>• Access to supervision and other staff within the organisation provide guidance and oversight based on specific skills and experience</li> <li>• The organisation maintains a high degree of awareness, knowledge and changes in government policy, legislation and community expectations</li> </ul>
Risk management	<ul style="list-style-type: none"> <li>• Effective risk management by public organisations involves identifying, analysing, mitigating, monitoring, and communicating risks.</li> <li>• Recognition at an organisation level regarding what degree of risk-taking is both acceptable and appropriate provides clarity and guidance regarding accepting and tolerating risk.</li> </ul>	<ul style="list-style-type: none"> <li>• Staff are aware of clinical governance requirements when providing services to people with complex behaviours or high intensity support needs.</li> <li>• Establish the oversight and monitoring of risk across the service</li> </ul>
Collaboration	<ul style="list-style-type: none"> <li>• Collaborative practice involves participants and organisations working together to address problems and deliver outcomes that are not easily achieved by working alone.</li> </ul>	<ul style="list-style-type: none"> <li>• The needs of clients, objectives, outcomes and partnerships are routinely assessed and refined.</li> <li>• Consider the following prior to partnering:               <ul style="list-style-type: none"> <li>○ Need and purpose identified</li> </ul> </li> </ul>

What	Why is it important	Recommended organisational response
	<ul style="list-style-type: none"> <li>• A more integrated approach is required for clients with complex needs.</li> </ul>	<ul style="list-style-type: none"> <li>○ Goals, outcomes and benefits identified</li> <li>○ Roles, responsibilities and actions identified</li> <li>○ Formal or information partnership arrangements created</li> <li>○ Processes developed</li> <li>○ Relationships established</li> </ul>
Processes	<ul style="list-style-type: none"> <li>• Organisations are accountable for the decisions they make. Therefore, they need relevant, accurate, and up-to-date information to make good decisions.</li> <li>• These processes are critical for providing assurance that an organisation's activities are compliant and in line with expectations.</li> </ul>	<ul style="list-style-type: none"> <li>• The service delivery team knows: <ul style="list-style-type: none"> <li>○ How information will be shared between partnering organisations</li> <li>○ How the views of the participant/advocate are accounted for in supporting collaborative practice?</li> <li>○ The essential minimum requirements for information sharing</li> <li>○ How issues of concern will be managed (either between organisations or involving the participant)</li> <li>○ Who will take the lead role in the event of a crisis or emergency</li> <li>○ How problems/unforeseen matters that occur during organisation A's shift will be managed when that shift ends? Who is responsible for aftercare/follow up?</li> <li>○ The legal requirements and community expectations for service delivery</li> </ul> </li> </ul>
Change	<ul style="list-style-type: none"> <li>• Continually testing and adapting to improve service delivery and increase chances of achieving results where traditional methods are not working</li> </ul>	<ul style="list-style-type: none"> <li>• Organisation uses ideas, perspective and inspiration from a mix of sources to enhance its work practice</li> <li>• Fosters a culture which encourages staff to share ideas and explore alternative approaches that lead to better customer outcomes</li> <li>• Prepares for change and maintains the agility needed to meet new challenges as they arise.</li> <li>• Invests in capacity building for staff to support innovation</li> </ul>
Quality improvement	<ul style="list-style-type: none"> <li>• Ensuring that the agency identifies, monitors and manages ethical decision-making.</li> <li>• Having a coherent and transparent framework for performance monitoring, reporting, and</li> </ul>	<ul style="list-style-type: none"> <li>• Establishing, monitoring and maintaining a system of review for its own effectiveness including with respect to performance of individual team members</li> <li>• Systematically monitors and reports on outcomes against the organisations objectives and targets; overseeing and reviewing the management of the service and its'</li> </ul>

What	Why is it important	Recommended organisational response
	<p>planning assists with fulfilling internal and external accountabilities and is consistent with good practice</p>	<p>performance</p> <ul style="list-style-type: none"> <li>• Agency is accredited and meeting associated national and industry standards</li> </ul>
<p>Monitoring progress</p>	<ul style="list-style-type: none"> <li>• While analysis and planning are both important steps, taking action based on the plan is critical and should be prioritised.</li> </ul>	<ul style="list-style-type: none"> <li>• Establish timeframes and review goals/tasks regularly</li> <li>• Establish regular handover procedures to communicate information</li> <li>• Active discussion between partnering organisations helps to ensure everyone is on track with issues, roles and responsibilities</li> <li>• Acknowledge and communicate significant achievements, whether your own or partnering organisation</li> </ul>

The above information is limited to the scope of this project; namely supporting people with complex and challenging needs. Further information relating to governance can be found on page 19, 'Useful Resources'.

## Practice tool 1: Support needs; complexity factors

<b>Personal and situational circumstances of participant <sup>1</sup></b>	Are there other services involved? Y/N	What services are involved? (who, frequency)	Is there a primary organisation 'leading' services? Who?	Are updates needed about other services' involvement? Y/N	Is there general consent to share information in place? Y/N	Does a partnership need to be established? Y/N	Agreements documented and reviewed regularly
<b>Mental health</b>							
<b>Complex medical</b>							
<b>Complex family</b>							
<b>Challenging behaviours</b>							
<b>Aboriginal clients</b>							
<b>CaLD clients</b>							

<sup>1</sup> NDIS Complex Support Needs definition

**Practice tool 1: Support needs; complexity factors**

<b>Psychosocial disability</b>							
<b>Drug and alcohol</b>							
<b>Homeless / itinerant</b>							
<b>History of trauma/abuse</b>							
<b>Limited/no communication</b>							
<b>Justice</b>							
<b>Mental health</b>							
<b>Housing</b>							



<b>Practice tool 1: Support needs; complexity factors</b>							
<b>Education</b>							
<b>Transitional supports</b>							
<b>Out of home care/child protection</b>							
<b>Crisis – need for immediate support</b>							
<b>Barriers to access services (e.g. rural)</b>							
<b>Insufficient support (formal and informal)</b>							
<b>Family/carer with disability</b>							
<b>Decision-making capacity</b>							

<b>Practice tool 1: Support needs; complexity factors</b>							
<b>Legal guardian Y/N</b>							
<b>Legal administrator Y/N</b>							
<b>Multiple agency involvement</b>							

## Practice tool 2: Check list: Key steps in building partnerships

Questions	Yes/No	Comments
<b>Identifying need for collaborative service delivery arrangement for NDIS participants</b>		
• Are other services involved?		
• Are other supports needed?		
• Is the person vulnerable/at risk?		
• Are regular handovers or sharing of information needed?		
• Has the person's situation escalated/are they in crisis?		
<b>Identifying potential partners and objectives</b>		
• Does your service need assistance? Are there presenting issues beyond your scope?		
• Is assistance needed in order to be able to continue supporting the participant?		
• Will partnering enable your service to achieve/continue meeting the participant's goals?		
• Do you have existing connections or networks with any services offering these supports?		
• Are potential partners willing to work collaboratively, handover information and provide regular updates?		
<b>Define roles and responsibilities</b>		
• Is it clear what the role of each service is?		
• Is there agreement and understanding of who will take the lead in the event of an emergency?		
• Is there agreement on the parameters of responsibility for each service?		
• Is there a clear plan for communication, handovers and reviews.		

Questions	Yes/No	Comments
<b>Define partnership arrangements and processes</b>		
<ul style="list-style-type: none"> <li>• Have the terms of the partnership been identified and defined?</li> </ul>		
<ul style="list-style-type: none"> <li>• Is there a MoU or similar agreement in place?</li> </ul>		
<ul style="list-style-type: none"> <li>• Are there specific processes in place?</li> </ul>		
<ul style="list-style-type: none"> <li>• Have these processes been communicated to all relevant parties?</li> </ul>		
<b>Establish partnership arrangements actions and timelines</b>		
<ul style="list-style-type: none"> <li>• Have you determined what needs to be done?</li> </ul>		
<ul style="list-style-type: none"> <li>• Do you know who will identify/partnership arrangements?</li> </ul>		
<ul style="list-style-type: none"> <li>• Have you determined how it will be progress be monitored?</li> </ul>		
<ul style="list-style-type: none"> <li>• Have you determined a way to know when the when goals are achieved and what to do next?</li> </ul>		
<ul style="list-style-type: none"> <li>• Have you determined the timeframes in the partnership arrangement?</li> </ul>		
<b>Monitor and evaluate effectiveness of arrangements</b>		
<ul style="list-style-type: none"> <li>• Have you determined how to know when the partnership arrangements is effective?</li> </ul>		
<ul style="list-style-type: none"> <li>• Have you determined who will monitor this?</li> </ul>		
<ul style="list-style-type: none"> <li>• Have you determined how will these arrangements be monitored / measured?</li> </ul>		
<ul style="list-style-type: none"> <li>• Have you determined how the service delivery outcomes will be measured?</li> </ul>		
<ul style="list-style-type: none"> <li>• Have you determined who will monitor/measure this?</li> </ul>		
<ul style="list-style-type: none"> <li>• Are regular reviews in place?</li> </ul>		

Questions	Yes/No	Comments
<ul style="list-style-type: none"> <li>Does the service wish to continue partnering?</li> </ul>		
<ul style="list-style-type: none"> <li>Have you determined who is responsible for following up and implementing changes?</li> </ul>		
<b>Build trust by following through on agreed actions</b>		
<ul style="list-style-type: none"> <li>Are expectations being met as agreed?</li> </ul>		
<ul style="list-style-type: none"> <li>Are communication lines open?</li> </ul>		
<ul style="list-style-type: none"> <li>Is the working relationship positive?</li> </ul>		
<ul style="list-style-type: none"> <li>Are any changes required?</li> </ul>		

### Practice tool 3: Roles and responsibilities matrix

This tool is designed to assist partnering organisations to be clear on expectations, roles and responsibilities

Activity	Responsible	Deadline	Comments	Reporting: format and frequency
<i>E.g. Therapy update/handover between internal and external therapists involved</i>	<i>Therapist from organisation A to liaise with therapist from organisation B</i>	<i>On admission to service, and monthly thereafter</i>	<i>To send email summary of current goals/interventions, questions, feedback</i>	<i>To occur monthly whilst both therapists are involved</i>
<i>E.g. Communication between Community Access providers and accommodation site</i>	<i>Staff from organisation A (e.g. team leader, case coordinator) to set up arrangement with organisation B and monitor ongoing.  To feed back any issues or changes to treating team</i>	<i>Communication expectations discussed and agreed prior to commencing services</i>	<i>Community Access provider to be given required form template to complete at commencement of services</i>	<i>Written handover form completed at end of each shift or weekly report summary.  Report to include summary of daily activities, food/drink consumed, mood and behaviour, any concerns</i>
<i>E.g. Response to an urgent medical or safety concerns(when multiple parties/organisations are involved with client)</i>	<i>Organisation/staff with client at time of concern</i>	<i>Immediately</i>	<i>To contact guardian and also inform relevant parties (E.g. community access provider to call guardian and also handover to accommodation site/other relevant parties if incident occurred during their shift)</i>	<i>As needed, immediately at time of incident/concern. Staff from organisation A to document any updates (including if our staff were informed by other providers and given an update, this must be documented so all staff are aware and can provide safe and appropriate continuity of care</i>

<i>E.g. Sourcing discharge accommodation options – clarifying roles of support coordinator, site coordinator and social workers</i>	<i>Relevant staff from organisation A</i>	<i>From admission and ongoing</i>	<i>Goal is to establish on a case by case basis who is following up with what specific tasks in relation to securing and preparing discharge accommodation, so this can be documented and followed up for accountability and progress purposes</i>	<i>Staff from organisation A to circulate a summary to parties involved with allocation of tasks and update ongoing</i>

## Memorandum of Understanding

Between

\_\_\_\_\_ (Organisation 1)

And

\_\_\_\_\_ (Organisation 2)

And

\_\_\_\_\_ (Organisation 3)

And

\_\_\_\_\_ (Organisation 4)

**(Parties)**

This Memorandum of Understanding (**MOU**) sets out the shared understanding of the Parties about how they will work collaboratively and in partnership to improve service outcomes for Mr./Ms. \_\_\_\_\_ (**Client**).

### **Purpose**

There is growing complexity of needs and high demand for services, amongst participants with complex and challenging needs.

Working together collaboratively and in partnership helps achieve solutions to problems and deliver outcomes that are not easily achieved by working alone. It can assist with more effective and efficient service delivery.

### **Roles and Responsibilities**

Division of roles and responsibilities is to be undertaken in a way that maximises quality of practice, equitable division of resources and sustainability.

The Parties have identified and allocated the goals and responsibilities outlined in Practice Tool 3, to assist with meeting the Client's outcomes.

A range of Practice Tools have been developed to assist partnering organisations to identify and assign roles and responsibilities. These Tools may form part of the MOU and may include:

[Practice Tool 1 \(Support needs; complexity factors\);](#)  
[Practice Tool 2 \(Checklist: key steps in building partnerships\); and](#)  
[Practice Tool 3 \(Roles and responsibilities matrix\).](#)



### **Timescale and notice to terminate**

The Parties agree to negotiate in good faith with a view to signing the final written proposed agreement on or before \_\_\_\_\_ (date).

Either Party may at any time, by notice to the other in writing, terminate negotiations for the proposed agreement, without having to give any reasons for doing so.

Should a Party terminate the agreement, a previously agreed upon notice period will apply in order to allow the remaining service provider to seek alternative replacement supports.

### **Term**

This MOU will commence on the date of execution, and continue until as such time as agreed between the Parties. This may be for an agreed specified period as noted in (a), or (b) may apply:

- (a) [xxxx] [weeks or months]; or
- (b) such time that no Parties to the MOU remain.

A Party may give notice to the other Parties withdrawing from this MOU:

- (a) immediately, if a serious breach of this MOU or other serious misconduct has occurred; or
- (b) by [30] days prior written notice in any other case.

### **Review**

The Parties will review this MOU in good faith and in a spirit of cooperation every three months after the commencement of this MOU, and at such other times as reasonably required.

### **Status of document**

The Parties confirm that this document is a statement of understanding and is not intended to create binding or legal obligations on any Party.

Nothing in this MOU creates an agency, partnership, joint venture or fiduciary relationship between the Parties.

This MOU is dependent on each Party being under a binding contract for the services they perform in relation to the Client (**Contract\***). If a Contract expires or is terminated, that Party will be removed as a Party to this MOU. If you are an NDIS provider, your accountability remains with NDIA, if you are another service provider, your existing responsibilities and accountabilities remain.

*\*contract* equates to a service agreement disability service providers will have with a client. If you are a government department providing services, this is referring to the agreement between provider and client.

This MOU does not vary any provision of a Contract.

**MoU Signing page**

Executed by the parties as an MOU.

**Signature:** \_\_\_\_\_

Name: \_\_\_\_\_

Organisation: \_\_\_\_\_

Date: \_\_\_\_\_

**Signature:** \_\_\_\_\_

Name: \_\_\_\_\_

Organisation: \_\_\_\_\_

Date: \_\_\_\_\_

**Signature:** \_\_\_\_\_

Name: \_\_\_\_\_

Organisation: \_\_\_\_\_

Date: \_\_\_\_\_

**Signature:** \_\_\_\_\_

Name: \_\_\_\_\_

Organisation: \_\_\_\_\_

Date: \_\_\_\_\_

## Consent to share information between agencies (example)

### Privacy Consent Form - Sharing of Information

We are bound by the Australian Privacy Principles and other laws that govern how we collect, use, disclose and store your personal information. Our full privacy policy is available on request, or at:

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This form is used to record your consent for us to share your personal information with other organisations in appropriate situations.

#### Collection statement

The purposes for which we hold, use and disclose your personal information are:

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The types of personal information that we collect are:

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#### Sharing of personal information

We will work closely with other agencies to coordinate the best support for you and your family. In doing so, the personal information we collect about you may need to be shared with those other agencies.

We anticipate that we may need to share information with the following agencies. If we need to share information with any additional third parties, we will only do so with your consent and/or in accordance with our obligations under the Australian Privacy Principles:

Service Type	Name of Agency	Type of Information ( <i>including limits as applicable</i> )

#### Record of Client Consent

*I, [insert name of client], understand how and why certain information about me may need to be provided to other organisations. I give my permission for my personal information to be shared as detailed above.*

Signed:

Date:    /    /

 Client signed:

Witness' name:

Signed:

Date: / /

OR  Authorised Representative

Authorised Representative name:

Signed:

Date: / /

Witness' name:

Signed:

Date: / /

To ensure the client is able to make an informed decision about consent to the disclosure of their information, complete these steps: (tick when completed)

- Discuss with the client the partnership arrangements that exist with other services/agencies
- Explain that the client's information will only be released if the client has agreed or it is otherwise permissible at law.
- Advise that to the extent possible, services will still be provided even if the client does not want information disclosed – but this may not result in the best care or support outcome.
- Offer the client additional information (brochure or full privacy policy) about privacy, if they require it.

## Useful resources

Name of tool	Overview	Where to find
COAG Applied Principles and Tables of Support	<ul style="list-style-type: none"> <li>• Governments agree that the principles outlined in this document will be used to determine the funding and delivery responsibilities of the NDIS in achieving this vision.</li> <li>• Clarifies obligation of NDIS and other service delivery systems</li> </ul>	<a href="https://www.coag.gov.au/sites/default/files/communique/NDIS-Principles-to-Determine-Responsibilities-NDIS-and-Other-Service.pdf">https://www.coag.gov.au/sites/default/files/communique/NDIS-Principles-to-Determine-Responsibilities-NDIS-and-Other-Service.pdf</a>
Victorian State Govt. Best practice guidelines: Mainstream interface	<ul style="list-style-type: none"> <li>• Roles and responsibilities identified</li> <li>• Scenario examples and responsibilities</li> </ul>	<a href="https://providers.dhhs.vic.gov.au/practice-guidelines-ndis-and-mainstream-services">https://providers.dhhs.vic.gov.au/practice-guidelines-ndis-and-mainstream-services</a>
Summer Foundation NDIS and Health working together	<ul style="list-style-type: none"> <li>• This guide is designed to help health and NDIS staff support people with disabilities and complex health and support needs throughout their time in and transition out of hospital, and to do this in the best possible way.</li> </ul>	<a href="https://www.summerfoundation.org.au/wp-content/uploads/2018/07/ndis-and-health-web-v2.pdf">https://www.summerfoundation.org.au/wp-content/uploads/2018/07/ndis-and-health-web-v2.pdf</a>
Wanada Green book	<ul style="list-style-type: none"> <li>• Alcohol, drugs and mental health service provider directory</li> </ul>	<a href="http://greenbook.org.au">http://greenbook.org.au</a>
My Community Directory	<ul style="list-style-type: none"> <li>• The directory provides up-to-date information for community organisations that provide services within Western Australia.</li> </ul>	<a href="https://www.mycommunitydirectory.com.au/western_australia">https://www.mycommunitydirectory.com.au/western_australia</a>
National Disability Services: Fundamentals for	<ul style="list-style-type: none"> <li>• The Fundamentals for Boards resources provides links to guidance, advice, tools and information to support board</li> </ul>	<a href="https://www.nds.org.au/resources/fundamentals-for-boards">https://www.nds.org.au/resources/fundamentals-for-boards</a>

Name of tool	Overview	Where to find
Boards	members at every stage of their involvement and aims to make their experience both enjoyable and effective.	
Family and Community Services – NSW Govt: Risk Management	<ul style="list-style-type: none"> <li>Information and links relating to supporting a person with disability to assess and manage risk using person centred practice.</li> </ul>	<a href="https://www.facs.nsw.gov.au/_data/assets/pdf_file/0006/590712/116-Risk-and-Safety-Other-resources-accessible.pdf">https://www.facs.nsw.gov.au/_data/assets/pdf_file/0006/590712/116-Risk-and-Safety-Other-resources-accessible.pdf</a>
National Disability Services: NDIS Provider Toolkit	<ul style="list-style-type: none"> <li>A set of self-assessment exercises that focus on business practice required under the NDIS</li> <li>Understand your organisation’s current capacity for change, and particular areas it should focus on to succeed under the NDIS</li> <li>how to employ a workforce has the right values and skills to meet your clients’ needs</li> <li>Understand the implications of NDIS reform in a business excellence framework so you can make organisational changes in a practical manner</li> </ul>	<a href="https://www.nds.org.au/resources/ndis-provider-toolkit">https://www.nds.org.au/resources/ndis-provider-toolkit</a>
City of Port Phillip Family, Youth and Children Department: Collaborative Practice Framework	<ul style="list-style-type: none"> <li>This sample framework was designed to improve outcomes for children, youth and families through more collaborative ways of working.</li> <li>This document provides a conceptual framework and practical guidance to improve collaborative practice.</li> </ul>	<a href="http://www.portphillip.vic.gov.au/CPF_CoPP_Framework_FINAL.pdf">www.portphillip.vic.gov.au/CPF_CoPP_Framework_FINAL.pdf</a>
Ebiquity: 6 Stages of an Effective Governance Model	<ul style="list-style-type: none"> <li>Outlines the 6 key steps to implementing an effective governance framework</li> </ul>	<a href="https://www.ebiquity.com/news-insights/analytics/6-stages-of-an-effective-governance-model/">https://www.ebiquity.com/news-insights/analytics/6-stages-of-an-effective-governance-model/</a>