# Guide to Service Agreements

## Instructions for participants and service providers

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| --- | --- |
| Easy Read icon | This information is written in an easy to read way. We use pictures to explain some ideas. |
| Word list | Some words are written in **bold**. We explain what these words mean. There is a list of these words on page 29. |
| A woman helping an older man to read a document | You can ask for help to read this *Guide to Service Agreements*. A friend, family member or support person may be able to help you. |

## What is in the *Guide to Service Agreements*?

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## What is a Service Agreement?

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| --- | --- |
| Service Agreement | A Service Agreement is a document. |
| A young girl with Down syndrome standing in front of a group of people | It is for you and your **service provider**.  The service provider is the person or organisation that provides you with supports. |
| Handshake | The document says that you both agree about the services you are going to receive. |
| Signing a document icon | When you have agreed, you both sign the document. |

## What is this *Guide to Service Agreements* about?

|  |  |
| --- | --- |
| A man with one hand raised and the other pointing to himself | We've written this Guide for you.  You are a person who is using the NDIS.  We call people who are using the NDIS '**participants**'. |
| A woman smiling | We've also written this guide for service providers – the people who are offering services to you. |
| Woman writing on a clipboard | That way, the service providers also know what needs to be included in a Service Agreement. |
| Woman helping another woman to read a notebook | And they can help you prepare a Service Agreement if that's what you need. |
|  | There is additional information for service providers on page 27. |
| Sample of Service Agreement | You will find a sample Service Agreement on page 22. |
| Woman holding a check list with ticks | There is a useful checklist to make sure you've done everything you need to do when making a Service Agreement. You'll find this checklist on page 28. |
| Montage of a phone, an email address symbol and a mail address | If you would like any more information about Service Agreements, you can contact us.  Our contact details are on page 30. |
| NDIS Practical Design Fund webpage | There are also a range of useful tools from the Practical Design Fund to help you with Agreements.  These are available on our website at  [www.ndis.gov.au/people-disability/practical-design-fund](http://www.ndis.gov.au/people-disability/practical-design-fund) |

## Who can make a Service Agreement?

|  |  |
| --- | --- |
| A woman and a man looking at a document at a table | A Service Agreement can be made by a participant of the NDIS and their service provider. |
| A woman with her arms around another young woman | Sometimes, you might ask another trusted person to enter into the Agreement for you.  This might be a family member, carer, friend or other person. |
|  | A service provider might be: |
| A group of people outside a disability service provider building | * An organisation that offers disability support. |
| A group of people | * A community organisation. |
| A group of three people with different jobs | * A mainstream service provider, such as a business that provides cleaning, health or gardening services. |

## How is a Service Agreement different to an NDIS Plan?

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| --- | --- |
| Goals | Your NDIS Plan explains what you want to do and what your goals are. |
| A woman talking to a man | And it explains the support you will need to achieve your goals. |
|  | The Service Agreement is different. |
| A man explaining something to someone in a wheelchair | The Service Agreement is about the working relationship you have with your service provider. |
| A man and woman shaking hands | It makes sure that you and your service provider both agree about the supports you will receive and how these supports will be provided. |
| A woman in a wheelchair choosing between two people | One of the big ideas behind the NDIS is that you have choice and control about the support that you use. |
| A woman choosing her support providers | You get to choose who provides your supports. And you get to choose how you receive supports. |
| Thumbs up | The Service Agreement is a good way to make sure you receive the services that are right for you. |
| Service Agreement with a tick | And having a Service Agreement is a helpful way to make sure you have everything in writing if any problems occur. |
| Folders with a lock | Don't forget to keep a copy of your Service Agreement in a safe place. |
| A woman with a lightbulb above her shoulder | Also, it's a good idea to take a copy of your NDIS Plan to any meetings you have about your Service Agreement. |
| Copy of NDIS plan and Agreement | If you want to, you can attach a copy of your NDIS Plan to the Agreement. |

## What should be included in a Service Agreement?

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| --- | --- |
| Woman holding an information sign | The Service Agreement should include information about the supports you receive. |
|  | It doesn't have to be complicated. It can be quite simple. It needs to say: |
| Woman talking to a man in a wheelchair | * What supports you will receive. |
| A woman assisting another person at a computer | * When, where and how you will receive those supports. |
| Money | * How much the supports will cost and how they will be paid for. |
| A calendar and clock icon | * How long you need the supports for. |
| Man in wheelchair pointing to himself | * What is expected of you. This is about your responsibilities. We explain this in more detail on page 11. |
| Woman giving thumbs up | * What is expected of your service provider. We explain this in more detail on page 13. |
| Service Agreement with a cross | * How you can end or change the Agreement. |
| Woman with a thought bubble with a question mark in it | * What you can do if any problems occur. |

## What is expected of you?

|  |  |
| --- | --- |
| Man holding check list with ticks | When you sign the Service Agreement, it means that you agree to do the things that are expected of you.  These are called your **responsibilities**. |
|  | Your responsibilities include things like: |
| Two women with speech bubbles. One is writing on a clipboard | * Telling the service provider about the supports that you want, and how you want to receive them. |
| Man and a woman shaking hands politely | * Being polite and respectful to the staff who work with you. |
| A woman with her hand on the shoulder of another woman who is crying | * Telling the service provider if you've got any problems. |
| A man on a telephone with a clock above his shoulder | * Telling the service provider if you can't make it to an appointment – you should always give them at least 24 hours' notice. |
| A woman explaining a document to another woman | * Telling the service provider straight away if you want to end the Agreement. |
| A woman explaining a document to a man | * Letting the service provider know if your NDIS Plan changes or if you stop using the NDIS. |
|  | Every Service Agreement is unique.  The list above explains what we suggest you include.  This means that your Service Agreement may not have all of the things listed above in it, or it may have some other things in it.  This will depend on what you and your service provider agree. |

## What is expected of the service provider?

|  |  |
| --- | --- |
| A woman holding a list in one hand and giving thumbs up | Service providers have responsibilities too.  Below is a list of our suggestions of what these should be.  You and the service provider may agree on other things to include on the list. |
|  | The service provider's responsibilities include: |
| A man supporting another man in a wheelchair | * Providing the services that you have asked for. |
| A young girl standing in front of a man who is giving two thumbs up | * Being open and honest about the work that they do. |
| Two men reading a document together | * Explaining things clearly. |
| A man and woman shaking hands | * Treating you politely and with respect. |
| A woman giving thumbs up and holding a clipboard with a tick | * Including you in all decisions about your supports. |
| A woman comforting another woman who is crying | * Letting you know what to do if you have a problem or want to complain. |
| A woman with a clipboard talking to another woman | * Listening to your feedback and fixing any problems quickly. |
| A support worker speaking to a man with a speach bubble | * Telling you if they want to end the Agreement. |
| A young woman giving thumbs up with an information icon above her shoulder | * Making sure your information is correct and up to date. |
| Folders with a lock | * Storing your information carefully and making sure it is kept private. |
| NDIS scheme act and rules | * Obeying all the rules and laws that apply. This includes the *National Disability Insurance Scheme Act 2013* and the *National Disability Insurance Scheme Rules*. |
| Invoice and statements | * Providing invoices and statements for your supports. |
| Montage of GST, a calculator, money and a tick | * Checking whether GST applies.   There is more information about this on page 27. |
| Service Agreement review | * Checking that the Agreement is working well. You and the service provider will agree about how often the Agreement will be reviewed. |

## How to pay for your supports

|  |  |
| --- | --- |
| A woman with a dollar sign above her shoulder | There are different ways to pay for your supports. |
| A woman giving thumbs up with dollar signs above her shoulder | Some people manage all of their NDIS funding themselves. |
| Invoice | In this case, you pay the **invoices** from the service provider directly. An invoice is like a bill. |
| Two men standing together | Some people have a **Plan Nominee** to help them. This is a person you trust, like a family member or friend. If the NDIA says it’s ok, this person can manage your NDIS funding for you. |
| A man giving two thumbs up with an invoice | In this case, the Plan Nominee pays the invoices from the service provider. |
| NDIS document | Some people ask the National Disability Insurance Agency (NDIA) to manage the funding for them. |
| National Disability Insurance Agency logo | In this case, the NDIA pays the invoices. |
| A Plan Management Provider | Some people use a **Plan Management Provider**. This is a person or organisation who helps to manage their funding. |
|  | In this case, the Plan Management Provider pays the invoices. |
| Montage of a check, money and a computer mouse | In all of these cases, the way the invoice is to be paid – such as via electronic transfer, cash or cheque – will be written in the Agreement. |
| Calendar and clock icon | And the time allowed to pay the invoice will be included as well. This might be 7 days, 14 days or more. |

## How to change a Service Agreement

|  |  |
| --- | --- |
| Service Agreement changes | You and the service provider will need to agree about how changes can be made to the Service Agreement. |
|  | Most Service Agreements will say: |
| A man writing | * That the changes need to be in writing. |
| Handshake | * That the participant and the service provider agree on the changes. |
| **A man signing a clipboard** | You may need to sign a new document saying that you agree with the changes. |

## How to end a Service Agreement

|  |  |
| --- | --- |
| A woman helping a man read a document | If you want to end the Service Agreement, you must tell the service provider. |
|  | You must let them know before you want the Agreement to end. |
| Montage of a Notice Agreement document, a calendar and a clock | Usually, in the Agreement, it will say how much time you must give them before the Agreement can end.  This is called a **notice period**. |
| One month | This may be 1 month or more. |
| A woman with a speech bubble talking to a man | If the service provider wants to end the Agreement, they must tell you – and give you notice too. |
|  | Sometimes, an Agreement can end without a notice period. This could only happen if you or the service provider broke the Agreement in some way. |
|  | Let's look at an example. |
| Man checking his watch | Angus was upset because his support workers never turned up on time. |
| Two men in suits talking to each other | He made several complaints to his service provider. |
| Three months | But the service provider didn't do anything to fix the problem for more than 3 months. |
| Service Agreement with a cross | Angus decided to end the Agreement and find another service provider. |
| A man on the phone | He contacted the NDIA for more information. |

### Don't forget – you have responsibilities too!

|  |  |
| --- | --- |
| A man with one hand raised and the other pointing to himself | You have responsibilities to the service provider too. If you don't do what's expected of you, the service provider can end the Agreement. |

## What to do if you have a problem

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| --- | --- |
| A man and a woman talking with speech bubbles | The Service Agreement should explain who you can talk to if you have a problem. |
| Contact details | It should give you the name of a person to talk to, and their contact details. |
| National Disability Insurance Agency logo | If you don't want to talk to this person, or if your problem is not being fixed, you can contact the NDIA. |
|  | We can give you information about what you can do. |
| Telephone icon | Our phone number is 1800 800 110. |
| Office icon | You can visit one of our offices. |
| Web address icon | Or you can visit our website at [www.ndis.gov.au](http://www.ndis.gov.au) |

## Sample Service Agreement

### Who is making this Agreement?

|  |  |
| --- | --- |
| Name icon | The name of the participant or their trusted person: |
| Name icon | The name of the service provider: |

### How does this Agreement fit in with the NDIS?

|  |  |
| --- | --- |
| NDIS Insurance scheme | This Agreement is made according to the rules and the goals of the National Disability Insurance Scheme (NDIS). |
| NDIS Service Agreement and Plan copy | A copy of the participant's NDIS Plan is attached to this Agreement.  *Note: you don't have to include your NDIS Plan if you don't want to.* |
| NDIS and a handshake | The participant and the service provider agree that this Agreement is in line with the main ideas of the NDIS. These ideas include things like having more choices, achieving your goals and taking part in the community. |

### What supports will be provided?

What are the supports to be provided? List the following:

* how they will be provided
* when they will be provided
* who will provide them
* how long they will be provided for
* how much they will cost.

### What is expected of the participant?

|  |  |
| --- | --- |
| This section explains your responsibilities. | There's more information about this on page 11. |

### What is expected of the service provider?

|  |  |
| --- | --- |
| This section explains the service provider's responsibilities. | There's more information about this on page 13. |

### How will payments be made?

|  |  |
| --- | --- |
| This section explains who will pay the invoices, and how they will be paid. | There's more information about this on page 16. |

### How to make changes

|  |  |
| --- | --- |
| This section explains how you or the service provider can make changes to the Agreement. | There's more information about this on page 18. |

### How to end the Agreement

|  |  |
| --- | --- |
| This section explains how you or the service provider can end the Agreement. | There's more information about this on page 19. |

### What to do if there is a problem

|  |  |
| --- | --- |
| A woman comforting another woman who is crying | This section explains who to talk to if there is a problem. |
| The contact person is: |  |
| Their phone number is: |  |
| Their email address is: |  |
| A man on the phone | If you don't have any success getting your problem fixed, you can contact the NDIA. Our contact details are on page 30. |

### Goods and Services Tax

|  |  |
| --- | --- |
| Montage of GST, a calculator, money and a question mark | Most services provided under the NDIS will not include GST. However, GST will apply to some services. |
| A man reading a document with a thought bubble with GST and a question mark in it | It is the service provider's responsibility to check whether GST does or does not apply. |
| Sign icon | By signing this Agreement, the service provider says that they have checked whether GST applies. |
|  | There is more information about this on page 27. |

Under tax law, the following sentence must be included in this Agreement:

"A supply of supports under this Service Agreement is a supply of one or more reasonable and necessary supports specified in the statement of supports included, under subsection 33(2) of the [National Disability Insurance Scheme Act 2013](http://www.comlaw.gov.au/Current/C2014C00149) (NDIS Act), in the Participant’s NDIS Plan currently in effect under section 37 of the NDIS Act."

### Your contact details

|  |  |  |
| --- | --- | --- |
| Telephone icon | Your daytime phone number: |  |
| Telephone icon | Your evening phone number: |  |
| Mobile phone icon | Your mobile number: |  |
| Email address icon | Your email address: |  |
| Home address icon | Your home address: |  |
| Name icon | The name of someone we can contact if we can't get in touch with you: |  |
| Phone icon | Their phone number: |  |

### The service provider's contact details

|  |  |  |
| --- | --- | --- |
| Phone icon | Daytime phone number: |  |
| Phone icon | Evening phone number: |  |
| Mobile phone icon | Mobile number: |  |
| Email address icon | Email address: |  |
| Business address icon | Business address: |  |

### Signatures

By signing this Agreement, you agree to all of the information included.

|  |  |  |
| --- | --- | --- |
| Name icon | Participant name: |  |
| Signature icon | Signature: |  |
| Date icon | Date: |  |
| Name icon | Service provider name: |  |
| Signature icon | Signature: |  |
| Date icon | Date: |  |

## 

## Additional information for service providers

This Guide to Service Agreements has been designed as a tool for you to use with participants in the National Disability Insurance Scheme (NDIS).

It is written in an easy-to-read way, with pictures so that you can explain the main ideas. It also outlines your responsibilities as a service provider in a clear and simple way.

### About the Goods and Services Tax (GST)

Most supports provided under the NDIS will be GST-free. However, it is important for service providers to note that you will need to charge GST for some types of support.

You need to check each Service Agreement on a case-by-case basis to make sure you are complying with the law.

The main law that applies is *A New Tax System (Goods and Services Tax) Act 1999*. Further information about the NDIS and GST can be accessed on the [Australian Taxation Office website](http://www.ato.gov.au/Business/GST/In-detail/Your-industry/Health/GST-and-the-National-Disability-Insurance-Scheme/).

In signing the Service Agreement, you state that you have checked the GST status of the supports.

### Other useful tools

There are a range of useful tools to help you when working with participants. Many of these were developed as part of the Practical Design Fund. You can find these on the NDIS website at [www.ndis.gov.au/people-disability/practical-design-fund](http://www.ndis.gov.au/people-disability/practical-design-fund)

## Checklist for Service Agreements

|  |  |
| --- | --- |
| ❑ | I know who is making the Agreement.  This might be me and my service provider, or it might be my trusted person and my service provider. |
| ❑ | I know what supports to include. |
| ❑ | I know what is expected of me. |
| ❑ | I know what is expected of my service provider. |
| ❑ | I know how the supports will be paid for. |
| ❑ | I know what to do if I want to make changes. |
| ❑ | I know what to do if I want to end the Agreement. |
| ❑ | I know what to do if I have a problem and I know who to contact. |
| ❑ | I have written my Service Agreement, or I have worked with my provider to write the Agreement. |
| ❑ | I have signed the Agreement. |
| ❑ | I have attached my NDIS Plan to the Agreement if I want to. |
| ❑ | I have kept a copy of the Agreement for my records. |

## Word list

|  |  |
| --- | --- |
| Invoice | **Invoice**  A bill. It explains how much supports costs and when the payment is due. |
| Montage of Notice Agreement document, a calendar and a clock | **Notice period**  A period of time before a Service Agreement ends. This may be 1 month or more. |
| A woman smiling with her arms crossed | **Participant**  **A person with disability who is using the NDIS.** |
| Plan Management Provider | **Plan Management Provider**  A person or organisation who helps to manage the funding. |
| A woman with her arms around another young woman | **Plan Nominee**  A family member, carer, friend or other person. If the NDIA says it’s ok, this person can manage your NDIS funding and support you to make other decisions. |
| A man with one hand raised and the other pointing to himself | **Responsibilities**  The things that are expected of you or the service provider. |
| A woman smiling | **Service provider**  The person or organisation that provides you with supports. |

## Where can I get more information?

|  |  |
| --- | --- |
| If you want more information about Service Agreements you can contact us: | |
| Phone icon | 1800 800 110 |
| Web address icon | [www.ndis.gov.au](http://www.ndis.gov.au) |

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