

Local Guardians Service Provider Agreement



Complete your registration by visiting www.capitalguardians.com and accessing the Provider Registration section. Upload this Agreement, along with your Public Liability Insurance, Police clearance and any additional qualifications required for the type of work being delivered.

Definitions

HCP: Home Care Package, federally funded program to support older Adults to remain living independently

Client: the older adult who is receiving funding through HCP

Personnel: any staff engaged by the Service Provider organisation.

This agreement is made between:

Local Guardians Pty Ltd ("Local Guardians"), 10/585 Little Collins Street, MELBOURNE VIC 3000 Email: support@localguardians.com

And

Service Provider Trading name:		ABN:	
Contact name:		Phone:	
Type of service being delivered.			
Email:			
Client name:			

Local Guardian's responsibilities

Local Guardians, as the Approved Provider, coordinates the home care package, ensuring funds are used in compliance with the HCP Legislative Framework. The Service Provider is a direct service provider, engaged in delivering services to the HCP client and operates independently. This Agreement does not establish an employer-employee, principal-agent, or partnership relationship between Local Guardians and the Service Provider, or any of its staff or representatives ('Personnel')

1. Pays for Services as an Agent for Clients, as authorised and confirmed by Local Guardians based on the Care Plan and Budget. Services outside the package budget constitute a private arrangement with the client.
2. Monitors compliance within guidelines, resolves disputes, and expends Service Client's funds as directed, adhering to guidelines.
3. Work with the Client to ensure Service Providers are treated with courtesy and respect and comply with safe working practices; and
4. Communicate quickly if there are any concerns about the services or support being provided.

Service Providers' responsibilities:

The Service Provider delivers Services to the Client in adherence to general industry standards and those specified in Annexure 2. Additionally, they are required to comply with all policies, procedures, and directives provided by the Client and Local Guardians.

1. Respectfully and courteously engage with the Client, ensuring the provision of services in a safe and competent manner, exercising reasonable care to safeguard their health, safety, and overall wellbeing.
2. Not employ family members, Power of Attorney or person who reside in the client's home.
3. Report all Incidents & Complaints
 - The Service Provider must report any Incident or Complaint as soon as you become aware of it.
 - An incident encompasses any occurrence that may have posed a risk to a Client, encompassing improper conduct involving Clients, Local Guardians, the Service Provider, Personnel, or any matter related to the Services. A complaint is defined as any unresolved issue raised by a Service Client.
 - These can be reported via online forms, available on the Frequently Asked Questions page at www.localguardians.com
4. Document Shift Notes as directed by Local Guardians
 - The Department of Health and Aged Care oversees funding for Home Care Packages (HCP) and has set criteria to ensure the continuation of these services, including the mandatory recording of shift notes.
 - A shift note is a short-written summary, describing what was done during a shift. It also notes anything important about how the Client is doing or if there are any concerns about wellbeing or condition.
 - As a condition of payment, all services delivered directly to the client must be accompanied by a post shift note.
 - A range of FAQs are available on shift notes on our website <https://localguardians.com/faqs/>
5. Respect the Clients' right to safe, high-quality care and services, respecting their dignity, identity, culture, and diverse backgrounds, ensuring these are valued and supported.
6. Act in accordance with the Serious Incident Response Scheme (SIRS). <https://www.health.gov.au/our-work/serious-incident-response-scheme-sirs>
7. Adhere to the Aged Care Code of Conduct. <https://www.agedcarequality.gov.au/for-providers/code-conduct>
8. The Service Provider is required to promptly notify Local Guardians of any changes in a Client's circumstances, deterioration, or any arising issues or concerns. In cases where information is initially conveyed verbally, the Service Provider should subsequently confirm this information in writing as directed by Local Guardians.
9. Collaborate with the Client to coordinate the agreed-upon services, which have been tailored to meet their specific needs, at the preferred scheduled times. Be punctual and reliable, communicating any

changes in schedule in advance.

10. Without limiting any other obligations under this Agreement, the Service Provider must:
 - a. Oversee, supervise, and manage its Personnel consistently throughout the performance of the Services.
 - b. Provide Local Guardians and the Client with all pertinent documents received or generated by the Service Provider concerning a Client, relevant to the Services.
 - c. Promptly address requests for information and maintain effective communication with Local Guardians and the Client regarding the Services.

11. The Service Provider must obtain and must ensure that its Personnel obtain, at its expense, any necessary licenses, permits, qualifications, registrations, and other statutory requirements necessary for the performance of the Services under this Agreement, including, without limitation:
 - a. Possess the necessary qualifications and fulfill any training requirements; including completing essential free online training modules requested by Local Guardians for safe care provision.
 - b. Maintain the skills, experience, and capability required to deliver Services to the expected standard.
 - c. Work within their defined scope of practice.
 - d. Respect personal and professional boundaries.
 - e. Perform the Services in a manner that does not cause any loss or damage to the home of the Service Client or to any furnishings, equipment, items or other property.
 - f. Deliver Services with due care, adhering to occupational health and safety legislation.
 - g. Hold and maintain all requisite authorisations with relevant professional bodies in the State or Territory in which the Services are provided with no adverse findings or imposed conditions.
 - h. Have no banning orders in place with HCP or NDIS.

12. You must provide evidence of your compliance requirements pursuant to Appendix 3, for all Personnel (Appendix 1), including but not limited to the police check, insurance and relevant qualifications.

13. Register in Capital Guardians and adhere to the following:
 - a. Provide a valid Australian business Number (ABN)
 - b. Upload invoices by 5:00pm on Wednesday (Australian Eastern Standard Time) will be approved for payment on Friday of the same week, provided compliance documents are in place and sufficient funds are available.
 - c. Invoices submitted through the Capital Guardians portal incur a 2% merchant fee (like Visa, Mastercard or After pay).
 - d. Upload invoices in the HCP accepted format in the DESCRIPTION field:
Date, number of units, cost per unit and brief description of the type of work delivered.
E.g. Personal care services DD/MM/YY + DD/MM/YY 4.5hrs @ \$40ph
 - e. Complete this 'Independent Service Provider Agreement' and upload under Accreditation.

Ending this agreement

The Agreement remains in effect until the Service Provider has completed the services listed in this agreement or any additional services agreed between the parties.

You have the right to work in a safe environment. Any kind of violence, harassment or abuse towards staff or others is not acceptable. Service Providers are advised to immediately remove themselves from an unsafe

environment. Any incidents of unsafe or unacceptable behaviour should be reported to Local Guardians immediately.

The Client can at any time cease accessing services through the Service Provider.

Please upload to www.capitalguardians.com

<input type="checkbox"/>	Public liability insurance policy.
<input type="checkbox"/>	Police Check for any Personnel who may be likely to be engaged or involved in the performance of the Services that are conducted in a client's home.
<input type="checkbox"/>	Where relevant, complete the Overseas Statutory Declaration
<input type="checkbox"/>	Documentary evidence of related qualifications, professional experience and registrations as may be considered reasonable, in order to perform the Services

Agreement signatures:

Service Provider: I confirm that I understand and agree to the terms of this agreement.

Name

Title

Date

Signature

ANNEXURE 1 – Police Check Requirements

An Acceptable National Police Certificate is one that indicates the person has not:

- a. Been convicted of theft, fraud, murder, or sexual assault.
 - b. Received imprisonment for any other form of assault.
1. The Service Provider must:
 - a. Provide a current police check (not exceeding 3 years), for all any Personnel engaged by the Service Provider who visit the home of any Local Guardian's Client;
 - b. notify Local Guardians of any issues which are identified through any checks, which could reasonably be considered to affect the person's suitability to provide the Services; and
 - c. provide all assistance that Local Guardians reasonably requires to comply with its obligations under Applicable Laws with respect to criminal history checks.
 2. The Service Provider will conduct and cover the expense of police checks.
 3. If a Personnel member has been a citizen or permanent resident outside Australia since the age of 16 years, they must declare no convictions for specific offenses (Annexure 4, Stat Dec).
 4. If a national police certificate discloses criminal history, Personnel cannot provide Services until Local Guardians review their suitability to provide services.
 5. The Service Provider may reasonably request Personnel not to provide Services based on absence of a current police certificate or disclosed criminal history.

ANNEXURE 2 – SERVICE TYPE ROLES AND RESPONSIBILITIES

POSITION TYPE	QUALIFICATIONS	JOB DESCRIPTION
MEDICATION MANAGEMENT FOR RN/EN	<p>REQUIRED</p> <ul style="list-style-type: none"> - Current EEN or RN registration with AHPRA. - National Police check - ABN and public liability insurance - Effective communication - Zero-tolerance towards abuse and neglect 	<p>In accordance with the Nursing Guidelines (Health Practitioner Regulation National Law Act 2009), it is affirmed that Registered or Enrolled Nurses, in collaboration with medical practitioners and pharmacists, are the suitable experts tasked with administering medications to elderly individuals unable to self-administer their medication prescriptions.</p> <p>Medications should not be administered without legible, signed and dated instructions from the prescribing practitioner, including: a nurse practitioner; medical practitioner; optometrist; or dental practitioner. All medicines administered, withheld or refused must be recorded in the shift notes.</p> <ul style="list-style-type: none"> - <u>Registered Nurses (RN's)</u> may administer, supervise, monitor and provide information and education of medications, in compliance with legislative requirements and organisational policies and protocols. This includes reporting and recording of reactions to medicines and initiation of required interventions in consultation with prescribing practitioners and pharmacists. The RN's role includes delegation of medicines administration to Enrolled Nurses. - <u>Enrolled nurses (EN's)</u> must act under the supervision of a Registered Nurse associated with the care of the client. Endorsed Enrolled Nurses (EEN) can administer medicines if they have completed AHPRA approved medication administration education. EEN's who can administer medicines do not have a notation, '<i>Does not hold Board-approved qualification in administration of medicines</i>' on their registration. Monitor client vital signs, track behaviours, and keep the Care Manager/Advisor well informed. Monitoring for adverse medication reactions. <p>Management of medicines in Aged Care Medication management in the community</p> <p>All adverse medication reactions must be escalated in accordance with LG procedure using the STOP and WATCH Tool LINK and Escalation Process LINK</p> <p>Quick reference to the 7 Rs of medication management:</p> <ol style="list-style-type: none"> 1. Right client 2. Right medication 3. Right dose 4. Right time 5. Right route

		<p>6. Right reason</p> <p>7. Right documentation</p>
IN HOME NURSE SUPPORT	<p>REQUIRED</p> <ul style="list-style-type: none"> - Current EN or RN registration with AHPRA. - National Police check - ABN and public liability insurance - Effective communication - Zero-tolerance towards abuse and neglect 	<ul style="list-style-type: none"> - Provide in scope nursing care, health counselling, utilisation of standardised screening and education to individuals and families in the community with a focus on client independence, health promotion, risk management and prevention of injury. - Follow shift instructions and care prescriptions requested by the Local Guardians Clinical Oversight and Quality Management Team. - Monitor client vital signs, track behaviours and keep the Care Manager/Advisor well informed. - Monitoring for changes in care and condition. - Escalate change in condition in accordance with LG procedure using the STOP and WATCH Tool LINK and Escalation Process LINK - Follow care plan orders and supporting people with complex physical and mental health needs. - Adhere to manual handling and infection control guidelines (basic training modules LINK).
ALLIED HEALTH PROFESSIONAL	<p>REQUIRED</p> <ul style="list-style-type: none"> - Relevant Degree/Diploma in field with current AHPRA registration - National Police check - ABN and public liability insurance - Effective communication - Zero-tolerance towards abuse and neglect 	<ul style="list-style-type: none"> - Provide in scope allied health care, health counselling, utilisation of standardised screening and education to individuals and families in the community with a focus on client independence, health promotion, risk management and prevention of injury. - Monitoring for changes in care and condition. - Escalate change in condition in accordance with LG procedure using the STOP and WATCH Tool LINK and Escalation Process LINK
PERSONAL CARE AND HYGIENE SUPPORT	<p>DESIRABLE</p> <ul style="list-style-type: none"> - Cert III in Individual Support (Ageing) or higher/ equivalent, and experience in the aged care sector. <p>REQUIRED</p> <ul style="list-style-type: none"> - National Police check - ABN and public liability insurance - Effective communication - Zero-tolerance towards abuse and neglect - First Aid Cert 	<ul style="list-style-type: none"> - Supervision and/or assistance with daily hygiene including bathing, showering, toileting, grooming, shaving, hair care, bowel care, including ostomy and stoma bag changing and safe disposal of waste. - Assistance with eating and drinking, including gastronomy (PEG tube) feeding. - Food preparation. - Cleaning, fitting and removal of aids and appliances. - Following care plan orders and supporting people with complex physical and mental health needs. - Adhering to manual handling and infection control guidelines
MEDICATION SUPPORT	<p>DESIRABLE</p> <p>-Medication Administration Certification.</p>	<ul style="list-style-type: none"> - <u>Personal care workers</u> are able to supervise and prompt a client to self-administer their medicines from prepackaged dose administration aids (Webster Pack or blister pack). They should

	<p>-Cert III in Individual Support (Ageing) or higher/equivalent, and experience in the aged care sector.</p> <p>REQUIRED</p> <ul style="list-style-type: none"> - Current Certificate in Applied First Aid and CPR Accreditation. - National Police check - ABN and public liability insurance - Effective communication - Zero-tolerance towards abuse and neglect 	<p>not be directed by employers or clients to practice outside of this role.</p> <ul style="list-style-type: none"> - Monitor for adverse medication reactions, track behaviours and keep the Care Manager/Advisor well informed. Monitor vital signs if required or instructed to do so. - Escalate adverse medication reactions in accordance with LG procedure using the STOP and WATCH Tool LINK and Escalation Process LINK <p>Quick reference to the 7 Rs of medication management:</p> <ol style="list-style-type: none"> 1. Right client 2. Right medication 3. Right dose 4. Right time 5. Right route 6. Right reason 7. Right documentation
GARDENER	<ul style="list-style-type: none"> - No formal training required. <p>REQUIRED</p> <ul style="list-style-type: none"> - National Police check - ABN and public liability insurance - Effective communication - zero-tolerance towards abuse and neglect - First Aid desirable 	<ul style="list-style-type: none"> - Tidying overgrown gardens and green waste removal when required. - Lawn mowing and edging/whipper snipping. - Trimming hedges, small tree branches when requested. - Tidying pathways and reporting trip and slip hazards to Local Guardians management. - Weed maintenance (removal and spraying). - Assist with general rubbish removal when requested.
SOCIAL SUPPORT	<ul style="list-style-type: none"> - No formal training required. <p>REQUIRED</p> <ul style="list-style-type: none"> - National Police check - ABN and public liability insurance - Effective communication - zero-tolerance towards abuse and neglect - First Aid desirable 	<ul style="list-style-type: none"> - Supporting individuals with planned activities, either facility based, in the home or within the community.
CLEANER	<ul style="list-style-type: none"> - No formal training required. <p>REQUIRED</p> <ul style="list-style-type: none"> - National Police check - ABN and public liability insurance - Effective communication - zero-tolerance towards 	<ul style="list-style-type: none"> - Changing and washing bedding and making the bed. - General cleaning duties include mopping, vacuuming, and dusting. - Cleaning the living spaces used by the client, including the bathroom, kitchen, and laundry areas. - Assist with general rubbish removal when requested. - Follow provided work orders

	abuse and neglect	
	- First Aid desirable	

ANNEXURE 3 – Compliance Requirements

Service Type	Police Check Requirement	Insurance Requirement	Qualifications Required	Additional Notes
In-home service providers, delivering direct client care	Mandatory, valid < 3 years, in compliance with Aged Care Act	\$10m public liability	Dependent on service provided (e.g., nursing care requires specific qualifications)	NDIS screening is accepted as Police clearance. Work with Children is not accepted Workcover or personal insurance is not an accepted
In-home service providers, domestic cleaning and gardening	Mandatory, valid < 3 years, in compliance with Aged Care Act	\$5m public liability	NA	NDIS screening is accepted as Police clearance. Work with Children is not accepted Workcover or personal insurance is not an acceptable substitution
Once-off service/trade at home	Not required if supervised by someone other than care recipient	Not collected by us	Dependent on service provided - not collected by us	If the job is significant, e.g. bathroom modification, normal insurance and police check requirements will apply
Allied Health delivered in HOME	Mandatory, valid < 3 years, in compliance with Aged Care Act	\$10m public liability	AHPRA registration to be checked by CG for validity	AHPRA registration does not replace a police check - AHPRA do not collect or validate police checks NDIS screening is accepted as Police clearance. Work with Children is not accepted Workcover or personal insurance is not an accepted
Allied Health delivered in CLINIC	Not required	Not required	Not required	Compliance not needed for in-clinic services
Consumables, e.g. meals, equipment, products	Not required	Not required	Not required	Compliance not needed for providing consumables
Transport services	Mandatory, valid < 3 years, in compliance with Aged Care Act	\$10m public liability	Driver's license and comprehensive car insurance	Does not apply to Cabcharge or taxi Ride share is not allowable

ANNEXURE 4 - Born Overseas – Individual Stat Dec

Commonwealth of Australia

STATUTORY DECLARATION

Statutory Declarations Act 1959

Insert the name, address and occupation of person making the declaration

I (full name),¹ _____

Of (residential address), _____

make the following declaration under the *Statutory Declarations Act 1959*:

1. I declare that I have never been (place a tick or cross in applicable box):

<input type="checkbox"/>	Subject to a NDIS banning order under section 73ZN of the <i>National Disability Insurance Scheme Act 2013</i> .
<input type="checkbox"/>	The subject of any findings or judgment in relation to fraud, misrepresentation or dishonesty in any administrative, civil or criminal proceedings, and are not currently party to any proceedings that may result in me being the subject of such findings or judgment.
<input type="checkbox"/>	Where I have been a citizen or permanent resident of a country other than Australia after turning 16 I have never: <ul style="list-style-type: none">• been convicted of murder or sexual assault; or• been convicted of, and sentenced to imprisonment for, any other form of assault.

2. I declare that I will notify Local Guardians if I become aware of a change in circumstances that relates to my suitability within 14 days of becoming aware of it.

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*, and I believe that the statements in this declaration are true in every particular.

³ *Signature of person making the declaration*

3

⁴ *Place*
⁵ *Day*
⁶ *Month and year*

Declared at ⁴ _____ on ⁵ _____ of ⁶ _____

Before me,

⁷ *Signature of person before whom the declaration is made (see over)*

7

⁸ *Full name, qualification and address of person before whom the declaration is made (in printed letters)*

8

Note 1 A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years — see section 11 of the *Statutory Declarations Act 1959*.

Note 2 Chapter 2 of the *Criminal Code* applies to all offences against the *Statutory Declarations Act 1959* — see section 5A of the *Statutory Declarations Act 1959*.

A statutory declaration under the Statutory Declarations Act 1959 may be made before:

(1) a person who is currently licensed or registered under a law to practice in one of the following occupations:

Architect	Chiropractor	Dentist	
Financial adviser	Financial Planner		Legal practitioner
Medical practitioner	Midwife		Migration agent registered under Division 3 of Part 3 of the Migration Act 1958
Nurse	Occupational therapist		Optometrist
Patent attorney	Pharmacist		Physiotherapist
Psychologist	Trademarks attorney		Veterinary surgeon

(2) a person who is enrolled on the roll of the Supreme Court of a State or Territory, or the High Court of Australia, as a legal practitioner (however described); or

(3) a person who is in the following list:

Accountant who is:

- a) a fellow of the National Tax Accountants' Association; or
- b) a member of any of the following:
 - i. Chartered Accountants Australia and New Zealand;
 - ii. the Association of Taxation and Management Accountants;
 - iii. CPA Australia;
 - iv. the Institute of Public Accountants

Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
APS employee engaged on an ongoing basis with 5 or more years of continuous service who is not specified in another item in this list
Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the Consular Fees Act 1955)

Bailiff

Bank officer with 5 or more continuous years of service

Building society officer with 5 or more years of continuous service

Chief executive officer of a Commonwealth court

Clerk of a court

Commissioner for Affidavits

Commissioner for Declarations

Credit union officer with 5 or more years of continuous service

Employee of a Commonwealth authority engaged on a permanent basis with 5 or more years of continuous service who is not specified in another item in this list

Employee of the Australian Trade and Investment Commission who is:

- (a) in a country or place outside Australia; and
- (b) authorised under paragraph 3 (d) of the Consular Fees Act 1955; and
- (c) exercising the employee's function at that place

Employee of the Commonwealth who is:

- (a) at a place outside Australia; and
- (b) authorised under paragraph 3 (c) of the Consular Fees Act 1955; and
- (c) exercising the employee's function at that place

Engineer who is:

- a) a member of Engineers Australia, other than at the grade of student; or
- b) a Registered Professional Engineer of Professionals Australia; or
- c) registered as an engineer under a law of the Commonwealth, a State or Territory; or
- d) registered on the National Engineering Register by Engineers Australia

Finance company officer with 5 or more years of continuous service

Holder of a statutory office not specified in another item in this list

Judge

Justice of the Peace

Magistrate

Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the Marriage Act 1961

Master of a court

Member of the Australian Defence Force who is:

- a) an officer
- b) a non-commissioned officer within the meaning of the Defence Force Discipline Act 1982 with 5 or more years of continuous service
- c) a warrant officer within the meaning of that Act

Member of the Australasian Institute of Mining and Metallurgy

Member of the Governance Institute of Australia Ltd

Member of:

- a) the Parliament of the Commonwealth
- b) the Parliament of a State
- c) a Territory legislature
- d) a local government authority

Minister of religion registered under Subdivision A of Division 1 of Part IV of the Marriage Act 1961

Notary public, including a notary public (however described) exercising functions at a place outside

- a) the Commonwealth
- b) the external Territories of the Commonwealth

Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office providing postal services to the public

Permanent employee of

- a) a State or Territory or a State or Territory authority
- b) a local government authority

with 5 or more years of continuous service, other than such an employee who is specified in another item of this list

Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made

Police officer

Registrar, or Deputy Registrar, of a court

Senior executive employee of a Commonwealth authority

Senior executive employee of a State or Territory

SES employee of the Commonwealth

Sheriff

Sheriff's officer

Teacher employed on a permanent full-time or part-time basis at a school or tertiary education institution