

<b>Q229</b>	<b>MANAGING CONTRACTS and FUNDING AGREEMENTS POLICY</b>
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### Policy Statement

When Enhanced Lifestyles (EL) and Lifestyle Assistance and Accommodation Service (LAAS) enters a contract for services, including its agreements with funding providers, this contract forms part of Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service legal obligations.

Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service is committed to meeting its legal obligations and maintaining positive working relationships with contract partners. It will meet all legal obligations and funding agreement requirements in a timely and efficient manner.

Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service accepts funding from government agencies for the provision of services that are funded also by the private and undertakes to meet performance targets specified in funding agreements, and to comply with reporting requirements.

The Board delegates authority to the Chief Executive Officer to sign any contract on behalf of the organisation.

This document complies with NDIS 2018 standard 2.1 Governance and Operational Management and ACIS 2013, section 2.1 Governance and Operational Management. This document is readily available to all Customers/Clients and employees of Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service including The Boards.

<b>Policy context:</b> This policy relates to	
Legislation or other requirements	Associations Incorporation Act (SA) 1985 Act

### Contracts and agreements

Enhanced Lifestyles (EL) and Lifestyle Assistance and Accommodation Service (LAAS) deals with the following types of contracts and agreements:

- Funding agreements: Initial contract is provided by the funding agency and Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service reviews and negotiates on the terms and conditions proposed
- Consultant or contractor agreements: Initial contract is usually provided by Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service and the consultant or contractor may negotiate on the terms and conditions

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- Service agreements (e.g. equipment leasing, telephone contracts): Initial contract is provided by the supplier and Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service has limited capacity to negotiate other than on the details of supply (price, timing etc.).

The Chief Executive Officer should ensure that any contract being signed contains:

- clear specification of the services or activities, including (where relevant, goals and targets)
- time frame for delivery
- agreed pricing and time frames for payment
- dispute resolution and termination mechanism
- an indication of compliance with relevant service standards and statutory requirements

Funding agreements and contractor/consultant agreements should also contain:

- performance monitoring and evaluation arrangements
- reporting requirements
- management arrangements
- insurance and indemnity arrangements
- confidentiality and intellectual property rights

### **Contract negotiation and documentation**

The Chief Executive Officer will be responsible for:

- the negotiation of funding agreements and liaison with funding agencies concerning the funding agreement
- the negotiation of consultant or contractor agreements
- the negotiation of service agreements, and may delegate this to the any person deemed fit to carry out the action.

All draft contracts will be clearly marked as drafts, dated and numbered by version. The final version of a contract, properly executed with signatures of both parties, will be filed in the organisation's document control system.

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### Compliance management

All contracts will be monitored for compliance by Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service and by the contract partner:

- Funding agreements: The Chief Executive Officer will manage compliance with funding agreement requirements and will maintain a register of funding agreements which lists any specific requirements related to governance or administration (such as insurance requirements), reporting requirements and due dates for task completion and reporting.
- Consultant or contractor agreements: The Chief Executive Officer will manage the compliance requirements of contractor agreements as part of the project management process.
- Service agreements: The Chief Executive Officer will manage compliance of suppliers with service agreements.

### Documentation

Documents related to this policy	
Forms, record keeping or other organisational documents	Contract files