



NDIS Quality and Safeguards Commission

Fran Vicary, Queensland State Director,
NDIS Quality & Safeguards Commission

About the NDIS Commission



- Improve quality and safety of NDIS supports and services
- Take over the registration of providers from the NDIA
- Provide national consistency
- Help providers to meet their obligations
- Resolve problems and identify areas for improvement
- Support continuous improvement and quality in the NDIS
- Progressive establishment across Australia.

1 July 2018



1 July 2019



1 July 2020



Principles of the NDIS quality and safeguarding framework



- Human rights
- Capacity to exercise choice and control
- National consistency
- Proportionality and risk responsiveness
- Efficiency and effectiveness



Three dimensions of the NDIS quality and safeguards framework

Developmental *Building capability and support systems*

- Communication and engagement
- Tools and resources
- Support for NDIS Providers Program
- If you need to speak up, speak to us campaign
- Worker Orientation Module

Preventative *Preventing harm and promoting quality*

- Code of Conduct
- Practice Standards
- Behaviour Support
- Provider registration
- Worker screening
- Incident management
- Reportable incidents

Corrective *Responding if things go wrong*

- Education, persuasion, compliance
- Registration, audit, investigation
- Compliance notices, infringements, enforceable undertakings and injunctions
- Civil penalties
- Revoke or refuse registration
- Ban

Functions of the NDIS Commission



Registration and quality assurance

Code of conduct

Worker screening

Reportable Incidents

Complaints

Behaviour Support

Information and capacity building

Compliance, investigations and enforcement



NDIS Code of Conduct



We regulate all providers and workers delivering NDIS supports and services.

The Code of Conduct:

- **Applies to all providers** (registered/unregistered) **and workers**
- Helps **shape behaviour and culture** of providers and workers
- **Anyone can complain** to the NDIS Commission about a breach

We **monitor compliance** and can take a range of actions in response to breaches.



Respect individual rights and self-determination



Respect privacy



Act with integrity, honesty and transparency



Deliver services safely and competently



Ensure quality and safety









Prevent and respond to violence, neglect, abuse, exploitation and sexual misconduct

Obligations on providers



NDIS Quality
and Safeguards
Commission

	Unregistered providers	Registered providers (lower risk services)	Registered providers (higher risk services)
	NDIS Code of Conduct		
	Complaints process		
	Optional worker screening	Mandatory worker screening	
		Reportable incident requirements	
			Restrictive practice reporting (if applicable) (Behaviour support)
		Practice Standards verification	Practice Standards certification

Provider registration



Who needs to be registered?

Providers who deliver one or more of the following:

- Services and supports to NDIS participants whose plan is managed by the NDIA
- Specialist disability accommodation
- Develop behaviour support plans
- Implement restrictive practices.

Conditions of registration:

- Compliance with Commonwealth, state and territory laws
- NDIS Practice Standards
- NDIS Code of Conduct
- Complaints management and resolution requirements
- Incident management and Reportable Incident requirements
- Behaviour Support requirements (if applicable)
- Worker screening.



Practice Standards



Benchmark for providers to **assess performance and demonstrate high quality and safe supports** for participants

Each Practice Standard is build from a **high-level participant outcome**, supported by **quality indicators**.



All registered providers must be audited against relevant NDIS Practice Standards

Audits are proportionate to the size and scale of the organisation, risk and complexity of supports & services delivered

Reportable Incidents



Providers must notify, investigate and respond to reportable incidents involving NDIS participants including:

- Death
- Serious injury
- Abuse and neglect
- Unlawful sexual or physical contact
- Sexual misconduct including grooming for sexual activity
- Unauthorised use of restrictive practices.



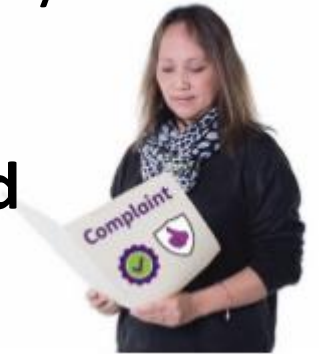
Reporting the incident to the NDIS Commission does not replace notifying any appropriate authorities, such as the police.

Complaints



NDIS participants have the right to complain about the safety and quality of NDIS supports and services

Every NDIS provider must have effective complaints management and resolution arrangements



The NDIS Commission is responsible for handling complaints about NDIS providers

- All complaints will be taken seriously and assessed
- A facilitated resolution process may be appropriate for some complaints
- Some complaints will require investigation

Complaints and feedback are an opportunity for providers to improve service delivery.

Positive Behaviour Support Capability Framework

Behaviour Support providers must lodge behaviour support plans with the NDIS Commission and notify it of the use of restrictive practices

Providers using restrictive practices must report monthly

Existing state legislation on restrictive practice authorisation still apply.



Worker screening



NDIS Worker Screening Check will start nationally from **1 July 2020**.

It will **replace existing arrangements** and set a single, **national standard for all workers**

When in place, **all registered NDIS providers must ensure workers have a valid clearance**

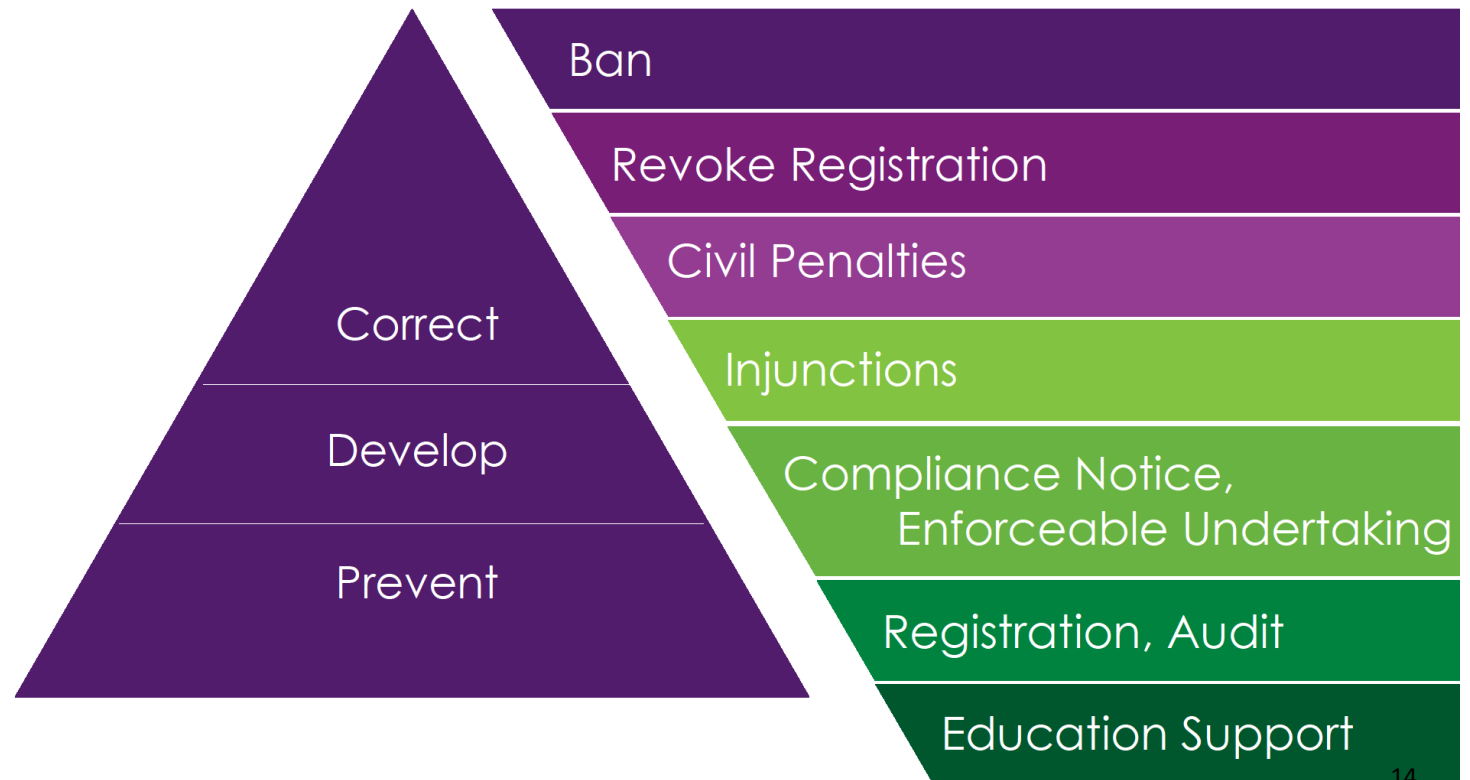
Workers will be subject to ongoing monitoring nationally.



Corrective domain: Investigative powers and enforcement action

The NDIS Commission will respond **appropriately** to issues that arise, and identify opportunities to prevent them occurring again.

- Early resolution
- Conciliation
- Compliance action



Further information



NDIS Quality
and Safeguards
Commission



For more information visit:
www.ndiscommission.gov.au



Or contact: 1800 035 544

This is a free call from landlines



Follow us on LinkedIn and
Facebook





Questions?



Thank you.

DISABILITY SUPPORT WORKERS CONFERENCE

MADE POSSIBLE BY:

