



# Acceptable state and territory checks under transitional and special arrangements

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The below information covers the types of acceptable checks in each state and territory under the transitional and special arrangements that apply to registered NDIS providers. In all states and territories workers employed by registered NDIS providers in risk assessed roles must hold a valid acceptable check or an NDIS Worker Screening Clearance. Requirements relating to acceptable checks have been in place since 1 July 2018 in NSW and SA, 1 July 2019 in QLD, ACT, VIC, TAS and the NT and since 1 December 2020 in WA.

The below information also covers the dates from which acceptable checks in each state and territory can be relied upon for the purpose of transitional and special arrangements. Once an acceptable check cannot be relied upon (e.g. expires), a worker must obtain an NDIS Worker Screening Clearance to continue to provide disability supports and services in a risk assessed role for a registered NDIS provider.

Worker screening is one of a range of requirements with which registered NDIS providers must comply. Requirements relating to worker screening form part of the NDIS Practice Standards. Registered NDIS providers in all states and territories are required to comply with all of the relevant NDIS Practice Standards. The requirements relating to worker screening are in the *National Disability Insurance Scheme (Practice Standards – Worker Screening) Rules 2018*.

Registered NDIS providers are complying with the transitional and special arrangements if persons engaging in risk assessed roles have an acceptable check.

This information should be read in conjunction with the Worker Screening Rules.

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## New South Wales (s.23 of the Worker Screening Rules)

### Acceptable checks for delivery of any class of support or service to a participant

There are two types of acceptable checks recognised by the NDIS Quality and Safeguards Commission in NSW. The appropriate acceptable check to use depends on whether or not a worker is or is not involved in child-related work within the meaning of the [Child Protection \(Working with Children\) Act 2012 \(NSW\)](#) (the NSW Act) at a point in time (i.e. present date).

#### Child-related work:

A worker has an acceptable check if at a time:

- the worker is engaging in child-related work at a time in a [risk assessed role](#) (i.e. current tense, not past or future); and
- the worker obtained a '[working with children check clearance](#)' within the meaning of the NSW Act prior to 1 February 2021; and
- the '[working with children check clearance](#)' is current and operative (hasn't expired or been cancelled).

A '[working with children check clearance](#)' is valid for five (5) years. Further, if a worker ceases to be engaged in child-related work in a [risk assessed role](#) for a registered NDIS provider, they must have an acceptable check relating to non-child related work or an NDIS Worker Screening Clearance.

#### Non-child related work:

A worker has an acceptable check if at a time:

- the worker is not engaging in child-related work in the [risk assessed role](#); and
- a [criminal record check](#) in relation to the worker was obtained:
- no more than four (4) years before the time (i.e. present date) and on or before 30 June 2018; or
- no more than two (2) years before that time (i.e. present date) and during the period 1 July 2018 to 31 January 2021; and
- the [criminal record check](#) showed that the worker had no conviction for a prescribed criminal offence (meaning an offence stated in Schedule 2 of the *Disability Inclusion Act 2014 (NSW)*); and
- the worker has not subsequently been subject to a [criminal record check](#) that showed that the person had a conviction for a prescribed criminal offence.

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Alternatively, a worker must have an NDIS Worker Check clearance to work in a risk assessed role (if they do not have an acceptable check above).

- For further information about what check is required and when, please refer to: The NDIS Quality and Safeguards Commission
- For further information about how to apply for an NDIS Worker Check in NSW: [NSW NDIS Worker Check](#)
- For further information about the NSW Working With Children Check: [NSW Office of the Children's Guardian](#)
- For further information about criminal record checks: NSW Police [Criminal record check](#)

## Commencement of transitional arrangement and period for which an acceptable check can be relied upon

In place since 1 July 2018.

### Child-related work:

Acceptable checks under [transitional and special arrangements](#) can continue to be relied upon to work in a [risk assessed role](#) for a registered NDIS provider until:

- the date a '[working with children check clearance](#)' expires; or
- the date specified in a written notice given by the NDIS Commissioner to a registered NDIS provider.

### Non-child related work:

Acceptable checks under [transitional and special arrangements](#) can continue to be relied upon to work in a [risk assessed role](#) for a registered NDIS provider until:

- for [criminal record checks](#) obtained no more than four (4) years before a time (i.e. present date) and on or before 30 June 2018 – the date the four (4) years lapses; or
- for [criminal record checks](#) obtained no more than two (2) years before a time (i.e. present date) and during the period 1 July 2018 to 31 January 2021 – the date the two (2) years lapses; or
- the date specified in a written notice given by the NDIS Commissioner to a registered NDIS provider.

For further information, please refer to:

- [NSW NDIS Worker Screening](#)
- [NSW Office of the Children's Guardian](#)
- [Criminal record check](#)
- [NDIS Worker Screening](#)

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## Australian Capital Territory (s.28 of the Worker Screening Rules)

### Acceptable checks for delivery of any class of support or service to a participant

ACT has a single acceptable check. A worker must hold a [registration to work with vulnerable people](#) (WWVP registration) under the [Working with Vulnerable People \(Background Checking\) Act 2011 \(ACT\)](#) from 1 February 2021.

WWVP registration relates to specified regulated activities, including an *NDIS activity*. Applicants must indicate their intention to work or volunteer in a regulated NDIS activity on application.

[WWVP registration](#) is valid up to five (5) years.

For further information, please refer to:

- [Registration to work with vulnerable people](#)
- [NDIS Worker Screening](#)

### Commencement of transitional arrangement and period for which an acceptable check can be relied upon

[WWVP registration](#) can be relied upon as an acceptable check under [transitional and special arrangements](#) to work in a [risk assessed role](#) for a registered NDIS provider until the earlier of:

- Up to five (5) years after the worker is registered under the [WWVP registration](#); or
- the expiry of the registration that the person held immediately before 31 January 2021; or
- the date specified in a written notice given by the NDIS Commissioner to a registered NDIS provider.

For further information, please refer to:

- [Registration to work with vulnerable people](#)
- [NDIS Worker Screening](#)

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## Queensland (s.26 of the Worker Screening Rules)

### Acceptable checks for delivery of any class of support or service to a participant

Queensland (Qld) has four types of acceptable checks. A worker needs to hold one of the four following types of acceptable checks immediately before 1 February 2021, or to have made a valid application for a [yellow card, yellow card exemption](#), or [blue card or blue card exemption](#) (and only to work with children with disability) prior to 1 February 2021.

#### 1. [Yellow cards or yellow card exemptions](#)

The worker holds an existing positive notice or positive exemption notice (Yellow Card or Yellow Card Exemption) which is a transitioned clearance under section 369 of the [Disability Services Act 2006 \(Qld\)](#).

A yellow card or yellow card exemption is generally valid for three (3) years unless cancelled or suspended. If a person has made a valid application for a yellow card or yellow card exemption before 1 February 2021, they are eligible to work on application.

#### 2. [Blue cards or blue card exemptions](#)

The worker meets the requirements under the *Working with Children (Risk Management and Screening) Act 2000 (Qld)* by:

- holding an existing Working with Children Authority (Blue Card or Blue Card Exemption); or
- being issued a Working with Children Authority after 1 February 2021 in relation to a Working with Children Check application made before 1 February 2021, but only to the extent the person works with children with disability, in accordance with section 376 of the *Disability Services Act 2006*.

A blue card or blue card exemption is generally valid for three (3) years, unless cancelled or suspended. If a person has made a valid application for a blue card or blue card exemption before 1 February 2021, they may only commence work once a blue card or blue card exemption has been issued.

#### 3. [Registered health practitioners](#)

The person engages in the [risk assessed role](#) before 1 February 2021 in the person's capacity as a registered health practitioner (within the meaning of the [Health Practitioner Regulation National Law 2009 \(Qld\)](#)) and the person has a certificate of registration (within the meaning of that Act). See section 377 of the *Disability Services Act 2006*.

Certificates of registration are issued and maintained by the [Australian Health Practitioner Regulation Agency](#) (AHPRA) and are valid for 12 months, unless cancelled.

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#### 4. Acceptable aged care provider check / Valid police certificate

The person is a staff member or volunteer of an approved provider under the *Aged Care Quality and Safety Commission Act 2018* (Cwlth), which is providing residential care to an NDIS participant under the *Aged Care Act 1997* (Cwlth) and is delivering NDIS supports and services to the participant, and the person has a valid police certificate issued under the *Accountability Principles 2014* (Cwlth).

A valid police certificate is one that was issued before 1 February 2021, which is less than three years old.

For further information, please refer to the Qld Government's Disability Worker Screening [website](#).

## Commencement of transitional arrangement and period for which an acceptable check can be relied upon

### Approved notices and certificates prior to 1 February 2021

[Yellow cards](#), [yellow card exemptions](#), [blue cards](#), [blue card exemptions](#), [registrations as a health practitioner](#), or an acceptable aged care provider check can be relied upon as an acceptable check under [transitional and special arrangements](#) to work in a [risk assessed role](#) for a registered NDIS provider in Qld until the earlier of:

#### *For yellow card and yellow card exemption holders:*

- the yellow card or yellow card exemption held immediately before 1 February 2021 expires; or
- the yellow card or yellow card exemption is suspended; or
- the yellow card or yellow card exemption is cancelled; or
- an exclusion is issued to the person.

#### *For blue card or blue card exemption holders working with children with disability:*

- the working with children authority expires; or
- the working with children authority is suspended or cancelled under the [Working with Children Act](#); or
- a negative notice is issued to the person under the [Working with Children Act](#); or
- the person makes a disability worker screening application and the application is decided or withdrawn, or an interim bar is imposed on the person.

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*For registered health practitioners:*

- the registration expires; or
- the registration is surrendered, suspended or cancelled under the Health Practitioner Regulation National Law (Queensland); or
- the person makes a disability worker screening application and the application is decided or withdrawn or an interim bar is imposed on the person.

*For acceptable aged care provider check / valid police certificate holders:*

- the acceptable aged care provider check / valid police certificate expires; or
- a disability worker screening application made by the person is decided or withdrawn; or
- an interim bar is imposed on the person; or
- three years have passed since the valid police certificate was issued.

**Existing applications prior to 1 February 2021**

A person who made a valid yellow card and yellow card exemption applications before 1 February 2021 can work on that application in a risk assessed role for a registered NDIS provider in Qld.

A person who made a valid blue card or blue card exemption application before 1 February 2021 cannot work before that application is decided. If the person is issued a blue card or blue card exemption, they can then work in a risk assessed role for a registered NDIS provider in Qld to the extent that that role involves working with children (including children with disability) only.

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## Tasmania (s.27 of the Worker Screening Rules)

### Acceptable checks for delivery of any class of support or service to a participant

Tasmania has a single acceptable check being if a worker held registration to engage in a regulated activity under the [Registration to Work with Vulnerable People Act 2013 \(TAS\) \(RWVP Registration\)](#), immediately before 1 February 2021.

RWVP registration relates to specified regulated activities. The RWVP registration must be in terms that allow the worker to engage in the risk assessed role.

[RWVP Registration obtained prior to 1 February 2021](#), is valid for the term, not exceeding three (3) years.

For further information, please refer to:

- [Registration to work with vulnerable people \(cbos.tas.gov.au\)](#)
- [TAS NDIS Worker Screening](#)

### Commencement of transitional arrangement and period for which an acceptable check can be relied upon

[RWVP registration](#) can be relied upon as an acceptable check under [transitional and special arrangements](#) to work in a [risk assessed role](#) for a registered NDIS provider in Tasmania until the earlier of:

- three (3) years after the worker is registered under the [RWVP registration](#) to engage in regulated activity which occurred prior to 31 January 2021; or
- the expiry of the registration that the worker held immediately before 31 January 2021; or
- the date specified in a written notice given by the NDIS Commissioner to a registered NDIS provider.

For further information, please refer to:

- [Registration to work with vulnerable people \(cbos.tas.gov.au\)](#)
- [TAS NDIS Worker Screening](#)



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## South Australia (s.24 of the Worker Screening Rules)

### Acceptable checks for delivery of any class of support or service to a participant

South Australia (SA) has three types of acceptable checks relevant to the transitional and special arrangements.

#### 1. Disability Services Employment Check:

A worker has an acceptable check if prior to 1 February or during the period 1 February to 31 March 2021:

- the worker is not engaging in child-related work in a [risk assessed role](#); and
- the worker has been subject of an assessment within the meaning of section 5B of the [Disability Services Act 1993 \(SA\) for a 'disability services employment check'](#); and
- the assessment has resulted in a finding that the worker being cleared for disability services employment; and
- the SA screening unit has not subsequently made a contrary finding that the worker is not cleared for disability services employment.

#### 2. Working with Children Check:

A worker has an acceptable check if prior to 1 February 2021:

- the worker has been subject of a ['working with children check'](#) in accordance with the *Child Safety (Prohibited Persons) Act 2016 (SA)*; and
- the central assessment unit has determined that the person is not prohibited from working with children; and
- the SA screening unit has not made a finding that the worker is not cleared for disability services employment; and
- the person is not a prohibited person (within the meaning of the *Child Safety (Prohibited Persons) Act 2016 (SA)*).

A ['working with children check'](#) is valid for five (5) years.

#### 3. Child-related employment check: Prior to 1 July 2019

- The worker has been the subject of an assessment within the meaning of section 8B of the [Children's Protection Act 1993 \(SA\)](#) as in force immediately before it was repealed or section 8 of the [Children's Protection Law Reform \(Transitional Arrangements and Related Amendments\) Act 2017 \(SA\)](#) as in force from time to time); and

- 
- the ‘[child-related employment children check](#)’ resulted in the worker being cleared for child-related employment; and
  - the SA worker screening unit has not made a finding that the worker is not cleared for disability services employment.

A ‘child-related employment check’ is valid for three (3) years.

For further information, please refer to the SA Worker Screening Unit’s [website](#).

## Commencement of transitional arrangement and period for which an acceptable check can be relied upon

### Disability Services Employment Check:

Acceptable checks under [transitional and special arrangements](#) can continue to be relied upon to work in a [risk assessed role](#) for a registered NDIS provider in SA until:

- for three (3) years after the date the decision about the ‘[disability services employment check](#)’ is made; or
- the date specified in a written notice given by the NDIS Commissioner to a registered NDIS provider.

### Working with Children Check:

Acceptable checks under [transitional and special arrangements](#) can continue to be relied upon to work in a [risk assessed role](#) for a registered NDIS provider in SA until:

- for five (5) years after the date that decision about the ‘[working with children check clearance](#)’ is made; or
- the date specified in a written notice given by the NDIS Commissioner to a registered NDIS provider.

### Child-related employment check

Acceptable checks under [transitional and special arrangements](#) can continue to be relied upon to work in a [risk assessed role](#) for a registered NDIS provider in SA until:

- for three (3) years after the date the SA decision about the ‘[child-related employment check](#)’ is made; or
- the date specified in a written notice given by the NDIS Commissioner to a registered NDIS provider.

For further information, please refer to the SA Worker Screening Unit’s [website](#).

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## Victoria (s.25 of the Worker Screening Rules)

### Acceptable checks for delivery of any class of support or service to a participant

Victoria has a single type of acceptable check based on the [Victorian Safety Screening Policy](#).

Registered NDIS providers must comply with all relevant requirements in the [Victorian Safety Screening Policy](#).

A registered NDIS provider must ensure that workers in Victoria have current safety screening that is in accordance with the [Victorian Safety Screening Policy](#) for workers engaged before 1 February 2021 being that the worker holds:

- Police record check; and
- [Disability Worker Exclusion List Check](#); and
- VIC [Working with Children Check](#) if one was required under the *Working with Children Act 2005* (being the applicable legislation prior to 1 February 2021).

Workers in risk assessed roles must have had an acceptable checks prior to 1 February 2021 for a registered NDIS provider to have current safety screening that is in accordance with the [Victorian Safety Screening Policy](#).

Workers engaged in a risk assessed role on or after 1 February 2021 by a new employer must apply for an NDIS check under the *Worker Screening Act 2020*.

Under the *Worker Screening Act 2020*, a person who holds an NDIS clearance and who is engaged in 'child-related work' must also hold a WWC clearance.

For further information, please refer to the Victorian Worker Screening Unit's [website](#).

### Commencement of transitional arrangement and period for which an acceptable check can be relied upon

Police record checks, [Disability Worker Exclusion List Checks](#) and [Working with children checks](#) can be relied upon as an acceptable check under [transitional and special arrangements](#) to work in a [risk assessed role](#) for a registered NDIS provider in Victoria until:

- Workers who hold a valid police check and [Disability Worker Exclusion List Checks](#) – 31 January 2022; or
- Workers who hold a valid Police record check, [Disability Worker Exclusion List Check](#) and [Working with children check](#) – the expiry of the Working with children check.

For further information, please refer to the Victorian Worker Screening Unit's [website](#).

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## Northern Territory (s.29 of the Worker Screening Rules)

### Acceptable checks for delivery of any class of support or service to a participant

The Northern Territory (NT) has a single acceptable check being if a worker holds an NT [working with children clearance](#) (Ochre Card) under the [Care and Protection of Children Act 2007 \(NT\)](#), immediately before the end of the transition period.

An Ochre Card is valid for two (2) years.

For further information, please refer to:

- [NT Working with Children Clearance](#)
- [NDIS Worker Screening](#)

### Commencement of transitional arrangement and period for which an acceptable check can be relied upon

A [working with children clearance](#) (Ochre Card) can be relied upon as an acceptable check under [transitional and special arrangements](#) to work in a [risk assessed role](#) for a registered NDIS provider in the NT until the earlier of:

- two (2) years after the worker is given a [working with children clearance](#) (Ochre Card); or
- the expiry of the [working with children clearance](#) (Ochre Card) that the worker held immediately before the end of the transition period; or
- the date specified in a written notice given by the NDIS Commissioner to a registered NDIS provider.

For further information, please refer to:

- [NT Working with Children Clearance](#)
- [NDIS Worker Screening](#)

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## Western Australia (s.29A of the Worker Screening Rules)

### Acceptable checks for delivery of any class of support or service to a participant

Western Australia (WA) has a single type of acceptable WA check, the length of which depends on when a person was engaged by the registered NDIS provider in a risk assessed role. There are additional requirements when a person is involved in child-related work within the meaning of the [Working with Children \(Criminal Record Checking\) Act 2004 \(WA\)](#).

The WA government has published a useful [table](#) to assist interpreting [transitional and special arrangements](#) that apply in WA.

#### Workers engaged by a registered NDIS provider in a risk assessed role, on a day before 1 December 2020 who have been continuously engaged since that engagement date:

In WA, workers falling within this category must have the following acceptable check or an NDIS Worker Screening Clearance:

- A [national police check](#) obtained no more than 3 years before both: the relevant time and 1 February 2021; and
- The [national police check](#) showed that the person had no conviction for a relevant offence (defined in section 29A(8) of the [National Disability Insurance Scheme \(Practice Standards— Worker Screening\) Rules 2018 to include, from 1 February 2021, any conviction for a Class 1 or Class 2 offence under WA’s National Disability Insurance Scheme \(Worker Screening\) Act 2020 committed as an adult](#)); and
- At the relevant time (i.e. the present time), the registered NDIS provider is not aware of the person being subsequently convicted of a relevant offence; and
- If the worker is engaged in a [risk assessed role](#) that involves child-related work within the meaning of the [Working with Children \(Criminal Record Checking\) Act 2004 \(WA\) \(WWC Act\)](#):
  - The worker had prior to 1 July 2021 made an application for a [Working with Children Card](#), or a further [Working with Children Card](#) and at the relevant time (ie the present time):
    - » that application has not been decided or withdrawn; and
    - » the worker has not been issued with an interim negative notice in relation to that application.

- 
- The worker has been issued an assessment notice ([Working with Children Card](#))(within the meaning of section 12 of the WWC Act, that has not expired or been cancelled):
    - » Prior to 1 July 2021; or
    - » In response to an application made prior to 1 July 2021.

### **Workers engaged by a registered NDIS provider in a risk assessed role during the period 1 December 2020 to 1 February 2021:**

In WA, workers falling within this category must have the following acceptable check or an [NDIS Worker Screening Clearance](#):

- A [national police check](#) obtained no more than 12 months before both: the relevant time and the day the person began that engagement; and
- The [national police check](#) showed that the person had no conviction for a relevant offence (defined under section 29A(8) of the [National Disability Insurance Scheme \(Practice Standards— Worker Screening\) Rules 2018 to include, from 1 February 2021, any conviction for a Class 1 or Class 2 offence under WA’s National Disability Insurance Scheme \(Worker Screening\) Act 2020 committed as an adult](#)); and
- At the relevant time (i.e. the present time), the registered NDIS provider is not aware of the person being subsequently convicted of a relevant offence; and
- If the worker is engaged in a [risk assessed role](#) that involves child-related work within the meaning of the *Working with Children (Criminal Record Checking) Act 2004 (WA)* (WWC Act):
  - The worker had prior to 1 July 2021 made an application for a Working with Children Card or a further Working with Children Card and at the relevant time (i.e. the present time):
    - » that application has not been decided or withdrawn; and
    - » the worker has not been issued with an interim negative notice in relation to that application.
  - The worker has been issued a [Working with Children Card](#) (within the meaning of section 12 of the WWC Act, that has not expired or been cancelled):
    - » Prior to 1 July 2021; or
    - » In response to an application made prior to 1 July 2021.

### **Workers engaged by a registered NDIS provider after 1 February 2021:**

No acceptable WA checks apply. Rather, the worker must:

- apply for an [NDIS Worker Screening Check](#) and,

- 
- if involved in child-related work, have, or have made an application for, a WA [Working with Children Card](#).

For further information, please refer to:

- [WA NDIS Worker Screening Unit](#)
- [National Police Check](#)
- [WA Working with Children Checks](#)
- [NDIS Worker Screening](#)

## **Commencement of transitional arrangement and period for which an acceptable check can be relied upon**

The acceptable WA check is not transferable between registered NDIS providers. If a worker newly commences an engagement for a registered NDIS provider in a risk assessed role after 1 February 2021, they must apply for an NDIS Worker Screening Clearance.

For further information, please refer to:

- [WA NDIS Worker Screening Unit](#)
- [National Police Check](#)
- [WA Working with Children Checks](#)
- [NDIS Worker Screening](#)

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## Residential Aged Care providers (s.29B of the Worker Screening Rules)

### Acceptable checks for delivery of any class of support or service to a participant

#### Current workers from 1 February 2021

Registered RAC providers are required to ensure that workers (staff members and volunteers) in risk assessed roles have:

- an acceptable aged care provider check in accordance with the requirements of the [Accountability Principles 2014](#); OR
- an acceptable check in accordance with [state and territory transitional arrangements](#)

These requirements under Part 6 of the Accountability Principles 2014 include a police check and, if necessary, a statutory declaration stating that the person has not been convicted of certain offences.

#### New workers after 1 February 2021

If the worker is new to the industry and does not hold any of the above checks then the worker must apply for an [NDIS Worker Screening Check](#)

For further information, please refer to:

- [RAC Fact Sheet](#)
- [National Police Check](#)
- [NDIS Worker Screening](#)

### Commencement of transitional arrangement and period for which an acceptable check can be relied upon

#### Acceptable aged care Check:

An acceptable aged care provider check will no longer be valid after three years having passed from the date the police certificate was issued (before 1 February 2021).

#### Acceptable check in accordance with state and territory arrangements:

Please refer to information in the relevant state or territory as to when these checks can be relied upon.