



# The NDIS Quality and Safeguards Commission

## A new system of quality and safeguards in the NDIS

The NDIS Quality and Safeguards Commission (NDIS Commission) is an independent government body that works to improve the quality and safety of NDIS services and supports, investigates and resolves problems, and strengthens the skills and knowledge of providers and participants.

**The NDIS Commission will commence in Tasmania on 1 July 2019 and will progressively roll out across Australia.**



When it is operational in all states and territories, the NDIS Commission will provide a single, national registration and regulatory system for providers that will set a consistent approach to quality and safety across Australia.



## What has changed for providers in Tasmania?

The NDIS Commission introduced several changes for Tasmanian providers.

These include a new NDIS Code of Conduct and NDIS Practice Standards, which set out expectations for the quality and safety of the services and supports providers deliver. There have also been changes to provider registration and the way complaints are made, incidents are reported, behaviour support plans are developed and checked, and worker screening is undertaken.

Unregistered providers are also subject to new requirements including the NDIS Code of Conduct and complaints handling arrangements.



**The NDIS Commission provides information and guidance to support providers to understand and meet their quality and safeguards requirements.**

## Then and now in quality and safeguards

Function	Prior to the NDIS Commission	Under the NDIS Commission
<b>Provider registration</b>	Registered providers were required to meet the NDIA Terms of Business, the Guide to Suitability and the quality assurance and safeguards working arrangements for transition to the NDIS in Tasmania.	The NDIS Commission registers providers. Registered providers are required to comply with the NDIS Practice Standards, the NDIS Code of Conduct and requirements for incidents management, complaints management, worker screening and behaviour support (where applicable).
<b>Standards of quality and safety</b>	Registered providers were required to comply with Tasmania's: <ul style="list-style-type: none"> <li>• Disability Services Act 2011,</li> <li>• Disability Services Regulations 2015,</li> <li>• Quality and Safety Framework for DHHS Funded Community Sector,</li> <li>• safeguarding policies and procedures.</li> </ul> Registered providers of specialist disability services were also required to participate in ongoing quality monitoring.	Registered providers must meet and be audited against the relevant NDIS Practice Standards.
<b>Code of Conduct</b>	Registered providers were expected to have their own Code of Conduct, Code of Ethics or Service Charter	All providers and workers in the NDIS must meet the NDIS Code of Conduct.
<b>Worker screening</b>	Registered providers were required to ensure that any person working within a child related regulated activity is registered in accordance with the Registration to Work with Vulnerable People Act 2013 (TAS). Providers also conducted referee checks and may have conducted criminal record checks.	All states and territories will progressively transition to a nationally consistent Worker Screening Check for employees of registered providers who have more than incidental contact with people with disability.
<b>Complaints management</b>	Complaints about providers were made to the NDIA or Disability and Community Services (DCS) within the Department of Communities Tasmania. Complaints about the NDIA or participant plans were made to the NDIA or the Commonwealth Ombudsman.  Registered providers were required to comply with DCS Compliments and Complaints Procedure and have systems and processes to manage and respond to complaints.	Complaints about the quality or safety of NDIS supports and services can be made to the NDIS Commission. Complaints about the NDIA or participant plans continue to be made to the NDIA or to the Commonwealth Ombudsman. Registered providers are required to have effective and proportionate internal complaint management and resolution arrangements in place. Registered providers must afford procedural fairness to people when managing complaints.
<b>Behaviour support</b>	Providers were required to adhere to state legislation and the Restrictive Interventions in Services for People with Disability Policy and Guidelines in relation to restrictive intervention authorisations. A report to the Senior Practitioner was required where an unauthorised intervention was deemed necessary for the protection from serious harm.  Apart from the exceptions noted in the Tasmanian Disability Services Act 2011, restrictive interventions should only have been used as part of a behaviour support plan.	Providers who use or are likely to use restrictive practices, or who develop behaviour support plans must be registered with the NDIS Commission and meet supplementary requirements of the NDIS Practice Standards. The NDIS Commission approves behaviour support practitioners using a capability framework. Providers must lodge behaviour support plans with the NDIS Commission and report monthly on the use of restrictive practices. The Tasmanian government remains responsible for the legislative and policy frameworks regarding the authorisation of regulated restrictive practices in the NDIS.
<b>Incident management</b>	Providers were required to manage, report and investigate serious consumer related incidents and allegations of abuse. DCS provided oversight, received the incident and allegation reports and were advised of investigation outcomes.	Registered providers must have effective incident management systems in place. Registered providers must notify the NDIS Commission about reportable incidents. These include the death or serious injury of a person with disability, allegations of abuse and neglect of a person with disability, unlawful sexual or physical contact with a person with disability, sexual misconduct committed against a person with disability and unauthorised use of restrictive practice.

Where transition arrangements apply after 1 July 2019, the NDIS Commission will work with existing state based agencies and regulatory bodies to handle complaints and manage reportable incidents, in line with the appropriate jurisdiction.

## Find out more

You can find more information and resources, including the NDIS Practice Standards and NDIS Code of Conduct, on the NDIS Commission website at [www.ndiscommission.gov.au](http://www.ndiscommission.gov.au). You can contact the NDIS Commission at [contactcentre@ndiscommission.gov.au](mailto:contactcentre@ndiscommission.gov.au) or on **1800 035 544**