



**NDIS Quality
and Safeguards
Commission**

Provider Advisory Group Terms of Reference

A subcommittee of the
Consultative Committee

Version 1.1 (October 2023)



Purpose	<p>The NDIS Quality and Safeguards Commission (NDIS Commission) has established a Consultative Committee to ensure that the voice of the Participant is considered as part of the decision making process and the development of informed policy.</p> <p>At times, the NDIS Quality and Safeguards Commission needs advice on specific subject areas. The Provider Advisory Group has been established for this purpose.</p> <p>The Provider Advisory Group may also be engaged by divisions or branches of the Commission to provide advice as required on projects and initiatives.</p>
Role and Scope	<p>In addition to sharing important perspectives with the Consultative Committee, the Provider Advisory Group will:</p> <ul style="list-style-type: none">a) Promote the work of the NDIS Quality and Safeguards Commissionb) Share information about current and proposed legislation, policy, regulation and practicec) Prepare for meetings by consulting with other stakeholder in order to advocate for othersd) Actively contribute to meetings in a respectful waye) Raise issues that are important to their stakeholder group or area of expertisef) Provide advice in their area of expertise or experienceg) Foster cooperation and collaboration between stakeholder groupsh) Build trust with other members of the Provider Advisory Group
Chair	<p>A member of the Consultative Committee who is an NDIS provider or peak body will lead the Provider Advisory Group.</p>
Membership	<p>Up to 15 people from all parts of Australia can be appointed to the Provider Advisory Group at any one time and will include NDIS Providers, peak bodies or professional associations.</p> <p>The names of Provider Advisory Group members will be published on the NDIS Quality and Safeguards Commission’s website. However, comments made by members during meetings will not be attributed to individuals, instead, decisions and actions will be attributed to the committee as a whole.</p>
Quorum and proxies	<p>A quorum is the minimum number of members that must be present before a meeting can go ahead. For the Provider Advisory Group, the Chair, and at least 6 members must be present for a quorum.</p> <p>If members are unable to attend, they should offer their apologies as soon as possible after the meeting date has been set and they know they cannot</p>

	attend. If the member would like to send a representative in their place, they should let the Chair know.
Term of the Committee	The membership of the Provider Advisory Group will be for a period of appointment from 31 October 2023 to 29 August 2025.
Meetings	<p>The Provider Advisory Group will meet up to four times per year, online, in alignment with the Consultative Committee meetings, with meetings expected to be up to two hours in duration.</p> <p>An agenda and meeting papers will be provided to members prior to each meeting via email. Members are encouraged to read the papers and ask questions before the meeting to clarify their understanding of the information..</p> <p>If there is a specific accessibility need, the member should raise this with the Chair and the NDIS Quality and Safeguards Commission will work with that member to support their participation.</p>
Confidentiality and Conflict of Interest	<p>Confidentiality</p> <p>In addition to the <i>Privacy Act 1988</i> (Cth) requirements, information held by the NDIS Quality and Safeguards Commission is subject to special privacy protections. The <i>National Disability Insurance Agency Act 2013</i> (NDIS Act) restricts the use of certain types of information referred to as protected Commission information. Section 9 defines protected Commission information as information about a person (including a deceased person) that is or was held in the records of the Commission, but does not include information publicised on the NDIS Provider Register in whole or part.</p> <p>A person may, make a record, disclose, or otherwise use the information for certain permitted purposes in the NDIS Act. Examples of the type of information which is captured as protected Commission information includes:</p> <ul style="list-style-type: none"> ▪ information shared by individual members which reveals the identity of individual Participants and providers (third parties); and ▪ information shared by individual Committee members which reveals their own personal information (members). <p>To protect the rights of Participants and the integrity of individual cases, members are asked to treat this type of information confidentially, in the same way they would like their sensitive and confidential information treated, which means only talking about it with other members of the Provider Advisory Group and Consultative Committee for the purposes of the Provider Advisory Group and Consultative Committee.</p> <p>If members feel uncomfortable about treating some information confidentially they should talk to the Chair who can help them manage through the situation.</p>

	<p>Conflict of Interest</p> <p>From time-to-time, Provider Advisory Group members might have personal knowledge or interests that could influence their decision making, or might be perceived to influence their decision making. If this situation arises please approach the Chair to discuss this potential conflict of interest.</p> <p>Following discussion, the member might abstain from participating in that specific discussion or matter. In all cases, discussions with the Chair will be treated confidentially and conflicts of interest will be recorded in the Minutes.</p>
Limitation of authority	The Provider Advisory Group is not authorised to expend funds or make comments on behalf of the NDIS Commission, nor represent the NDIS Commission to the public or in the media.
Links to other Committees	The Provider Advisory Group is a subcommittee of the Consultative Committee.
Reporting line and frequency	The Chair of the Provider Advisory Group will report to the Consultative Committee, with advice as requested by the Committee, and/or requested by divisions or branches of the Commission. The minutes will also be tabled at the Consultative Committee.
Committee supports	<p>The NDIS Quality and Safeguards Commission is the Secretariat for the Provider Advisory Group and will:</p> <ol style="list-style-type: none"> a) Provide support and policy advice to the Group b) Develop agendas and related papers for Advisory Group meetings c) Arrange meetings d) Distribute relevant information to members in advance of meetings e) Coordinate any references to and reporting to the Consultative Committee f) Prepare minutes of meetings g) Arrange venues and catering for meetings if applicable h) Verify and arrange payment of travel costs and reimbursement of eligible expenses
Communication	The activity of the Provider Advisory Group will be communicated by the Consultative Committee to the Executive Leadership Team of the NDIS Commission.
Remuneration	<p>Members are eligible for sitting fees if they meet the following requirements:</p> <ol style="list-style-type: none"> a) They are not employees of federal, state or territory governments; and b) They do not receive a salary from their usual place of employment while participating. <p>Sitting fees for eligible members and eligible organisations are calculated at the rate of other part-time public officers – Member as outlined in Section 12 Table 2A of the latest Australian Government’s</p>

Remuneration Tribunal Remuneration Allowances for Holders of Part-time Public Office Determination (Determination).

For completeness, members are not part time public office holders for the purposes of the Determination.

Sitting fees may be paid for regular meetings and can be agreed by the Chair in special circumstances for special meetings.

Requests to be exempted from travelling economy may be made for members with disability whose disability requires them to travel in a higher class.

Where attendance at an in-person meeting requires the member to stay overnight in commercial accommodation, the member may receive a travel allowance calculated in accordance with Part 4 Division 2 and Part 6 Tier 3 of the latest Australian Government's Remuneration Tribunal Official Travel Determination. Travel allowance cannot be paid where the member receives an allowance for the same trip through another source.

Where a member with disability needs to travel with a support person, that support person may also be entitled to reimbursement of their airfare and a travel allowance in accordance with the above principles.