

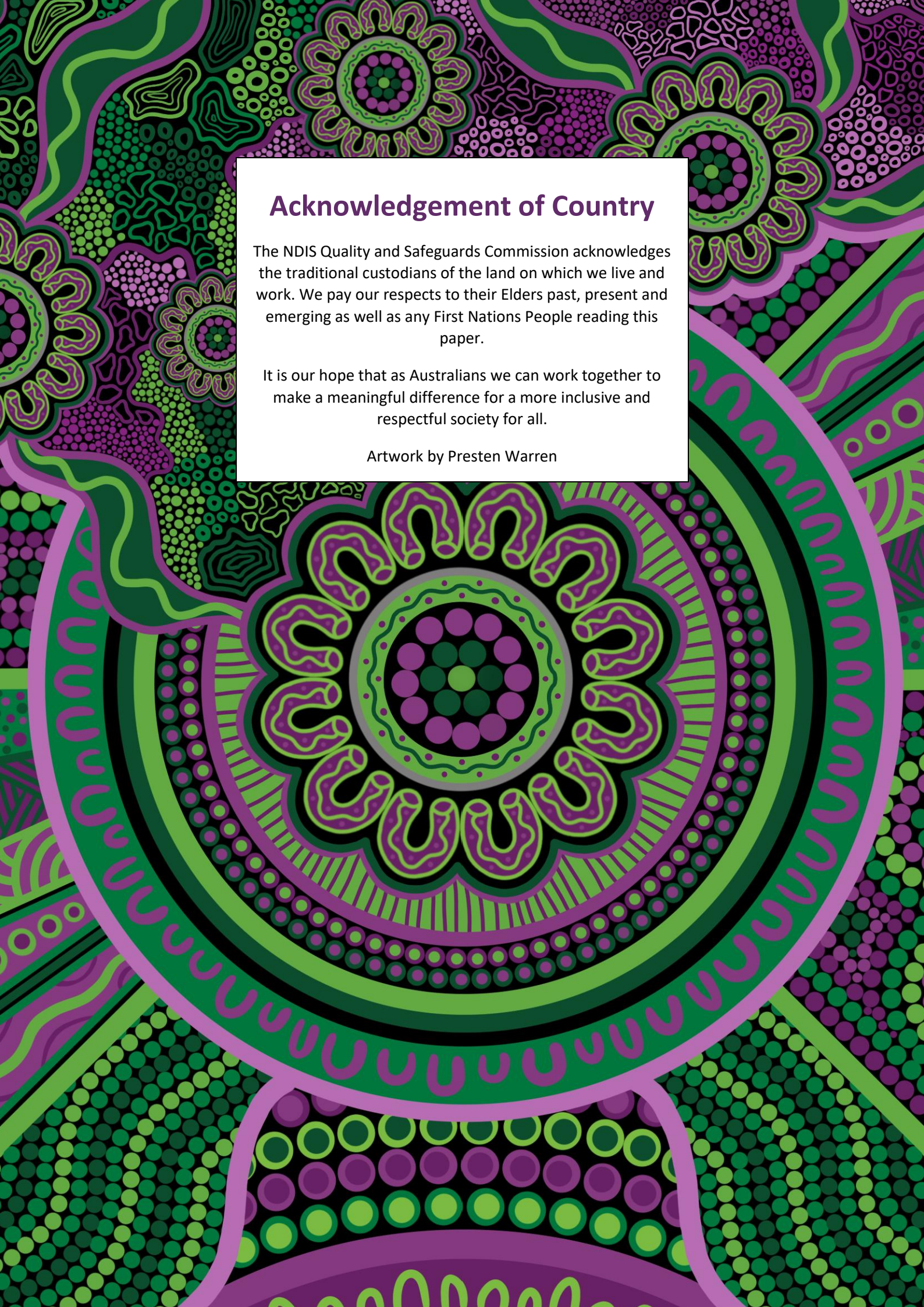


**NDIS Quality
and Safeguards
Commission**

Mandatory Registration: supported independent living (SIL) and support coordination

Consultation paper

November 2024



Acknowledgement of Country

The NDIS Quality and Safeguards Commission acknowledges the traditional custodians of the land on which we live and work. We pay our respects to their Elders past, present and emerging as well as any First Nations People reading this paper.

It is our hope that as Australians we can work together to make a meaningful difference for a more inclusive and respectful society for all.

Artwork by Presten Warren

Table of Contents

Mandatory Registration: supported independent living (SIL) and support coordination	1
Acknowledgement of Country	2
Our approach to proposed regulatory reform.....	4
Our approach to the registration of SIL and support coordination.....	5
Paper on a page	6
Background	8
Why are we getting feedback?	8
What's in this paper?	8
Why are we focusing on SIL and support coordination?	8
What have we learned from recent inquiries?	9
What changes are we proposing?.....	11
What do these changes mean?.....	14
Feedback on proposed changes.....	15
How to provide feedback.....	15

Our approach to proposed regulatory reform

About the NDIS Quality and Safeguards Commission

The NDIS Quality and Safeguards Commission (NDIS Commission) is an independent Australian Government body that regulates the National Disability Insurance Scheme (NDIS). We protect the rights of people with disability, register and regulate NDIS providers, and work with NDIS participants and the disability sector to improve the quality and safety of their NDIS supports and services and ensure the Scheme's sustainability.

About proposed regulatory reform

The Government is changing the NDIS to make it better for everyone. To do this, we want to hear your thoughts and opinions on the changes the Government is making.

We will put participant voices at the centre and prioritise groups most affected by reform. Our language will be accessible, clear and straight forward, and you will be able to engage in a variety of different ways. We welcome your feedback on how we can do better.

What we are talking about

We started talking to participants, providers and workers about these proposed changes in October 2024. We are talking about several main topics:

Registration of support coordinators and supported independent living (SIL) (*you are here*)

Registration of platform providers

Self-directed supports and changes to the definition of an NDIS provider

Proposed changes to the NDIS Act (Bill No 2)

This paper is about the Registration of Support Coordinators and Supported Independent Living (SIL) services.

How you can get involved

You can find out more about the proposed changes on our website: [Reform Hub](#).

We want to hear from you. We will try to make our consultations and information as accessible as possible. We have prepared an Easy Read version of this paper. You can have your say by:

- Completing the [survey](#)
- Making a detailed written submission to consultations@ndiscommission.gov.au with your responses to the consultation questions.

Tell us how we can improve

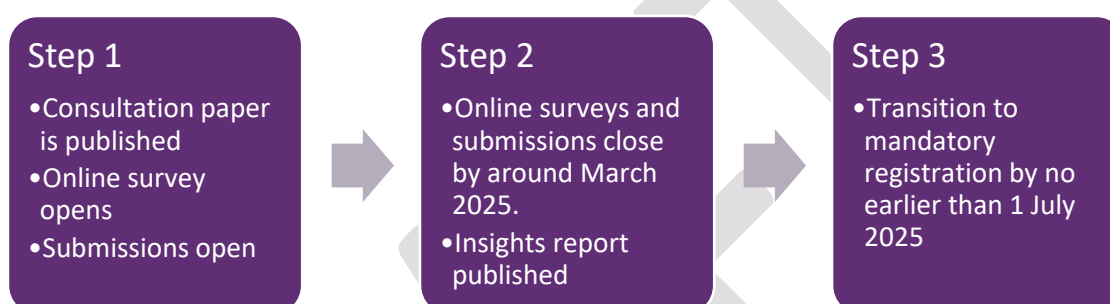
We want to know if we can make our approach better. If you have feedback on how we can improve our engagement, please contact us at Rll@ndiscommission.gov.au.

Our approach to the registration of SIL and support coordination

About the registration of SIL and support coordination

On 16 September 2024, the Minister for Government Services and the NDIS, the Hon Bill Shorten MP, announced the mandatory registration of all support coordinators and Supported Independent Living (SIL) providers. This consultation will help us to understand the practical implications of mandatory registration for participants, their supporters and providers, and how we can smoothly implement the proposed changes.

Where we are going



Our plan to consult on the registration of SIL and support coordination includes:

- Step 1: Consultation paper is published (*this paper*), submissions open and online survey opens for feedback.
- Step 2: Online surveys and submissions close by March 2025. Insights report will be published to share what was heard as part of the consultation.
- Step 3: Transition providers to mandatory registration by no earlier than 1 July 2025, based on feedback from consultations.

To find out more about what we are doing on other topics, and how this fits, please see our [Regulatory Reform Roadmap](#).

What we want to know

We want to hear about the following issues:

- How these changes may affect NDIS Participants and their access to supports.
- How effective the proposed registration approach and timeframes are for providers.
- What support or information the NDIS Commission can provide to during the transition.

Paper on a page

Purpose

The purpose of this consultation paper is to seek community feedback about the proposed approach to mandatory registration for all providers of Supported Independent Living (SIL) and support coordination.

About registration of SIL and support coordination

- SIL is a type of support included in Registration Group 0115 (Assistance with Daily Life Tasks in a Group or Shared Living Arrangement).
- Support coordination services, by contrast, are delivered under two different registration groups; Registration Group 0106: Support coordination (Levels 1 and 2), and Registration Group 0132: Specialist support coordination (Level 3).
- Multiple reviews and inquiries have highlighted significant quality, safety and integrity issues in SIL and support coordination services. These include our Own Motion Inquiries (OMIs), the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (Disability Royal Commission), the NDIS Review and NDIS Provider and Worker Registration Taskforce (Taskforce) Advice. These reviews have recommended strengthening regulatory oversight to improve the quality and safety of these supports.
- We are seeking your feedback on our proposed options to implementing mandatory registration, and how we can manage the transition to these arrangements.

What we want to know about

Approach to supported independent living registration

To implement mandatory registration for SIL, we propose to change the Rules to make registration mandatory for all providers delivering SIL supports. Providers will need to be registered for the existing Registration Group 0115.

Approach to support coordination registration

To implement mandatory registration for all support coordination providers, we propose to consolidate all support coordination services under Registration Group 0132 (*Specialised Support Coordination*), move levels 1 and 2 support coordination from Registration Group 0106 to 0132, and then make registration mandatory for all providers delivering any level of support coordination under this group.

Seeking feedback

We want to seek your feedback on the proposed changes. This includes how the proposed changes may impact NDIS participants and their access to supports, and providers and how they manage the transition to these approaches.

Have Your Say

We want to hear from you. You can have your say by:

- Completing the [survey](#)
- Making a written submission to consultations@ndiscommission.gov.au with your responses to the consultation questions.

DRAFT

Background

The Minister for Government Services and the NDIS, the Hon Bill Shorten MP, announced on 16 September 2024 the registration of all platform providers, support coordinators and Supported Independent Living (SIL) providers as a priority, to strengthen the quality and safety of supports.

The NDIS Commission is now consulting on NDIS Rule changes to mandate registration for these supports, with implementation requiring amendments to the *NDIS (Provider Registration and Practice Standards) Rules 2018*.

Why are we getting feedback?

We recognise that changes to mandatory registration requirements for SIL and support coordination can have significant impacts. Through this consultation, we want to understand the practical implications of mandatory registration for participants, their supporters and providers in relation to these supports. Your feedback will help determine appropriate implementation timeframes and considerations to maintain continuity of supports during the transition.

What's in this paper?

This discussion paper outlines the proposed move towards mandatory registration for SIL providers and support coordinators. It explains the background and rationale for this change, details the necessary adjustments to registration groups and sets out a possible transition process. We seek your views on these implementation approaches.

Why are we focusing on SIL and support coordination?

Multiple reviews and inquiries have highlighted significant quality, safety and integrity issues in SIL and support coordination services. These include our Own Motion Inquiries (OMIs), the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (Disability Royal Commission), the NDIS Review and NDIS Provider and Worker Registration Taskforce (Taskforce) Advice. These reviews have recommended strengthening regulatory oversight to improve the quality and safety of these supports. We are progressing mandatory registration as a first step to responding to these recommendations. Currently, without mandatory registration, there is limited oversight of unregistered providers delivering these support types and no way to ensure they meet quality standards. Mandatory registration is critical to ensuring a level of quality and commitment to delivering progressively higher standards of support.

What have we learned from recent inquiries?

SIL

While the majority of SIL providers are registered with the NDIS Commission, registration is not currently mandatory. These supports are often delivered 24/7 in participants' homes and in shared living arrangements. Recent reviews have identified quality and safety concerns in these settings, highlighting the need for mandatory registration to strengthen oversight. SIL participants have average NDIS plan budgets of \$451,100, significantly higher than the \$58,900 average for non-SIL participants. The Taskforce found evidence of providers exploiting this by targeting participants with large plans, providing poor quality services, and in some cases, evicting participants once their funding had been exhausted.¹

[Our OMI into supported accommodation](#) found specific concerns about quality and safety and identified systemic issues in group home settings, including instances of violence, abuse and undue influence by support workers. Our inquiry identified the need for specific regulation of these support arrangements to improve quality and safety, particularly around workforce capability and participants' ability to exercise choice and control. Our inquiry found that 85% of all reportable incidents occurred in group home settings.² The closed nature of group home settings often leaves participants isolated from community and natural supports, with limited external oversight and difficulties making complaints.³

Following these findings, in 2023, the NDIS Commission consulted 120 participants and their families to inform the development of the new NDIS Practice Standards. The consultation talked about their community, their goals and interests, living life their way, their safety, home and communicating with confidence. Participants identified six key factors that are central to a good life:

- Participant centred
- A focus on human rights
- A harmonious house dynamic
- Privacy
- Appropriately trained and assessed workers
- Participant worker and safety is paramount.

These consultations, combined with the OMI findings and advice from the Taskforce, have informed our [proposed improvements to in-home supports in group arrangements](#). These include a review of the NDIS Practice Standards and the development of new NDIS Practice Standards for providers delivering in-home supports in group arrangements, as well as separating accommodation supports from in-home supports to reduce conflicts of interest. The key focus is on ensuring supports are participant-centred and tailored to individual needs, goals and preferences, while upholding human

¹ NDIS Provider and Worker Registration Taskforce Report, p.49

² NDIS Commission Own Motion Inquiry into Aspects of Supported Accommodation in the NDIS, p.46

³ NDIS Provider and Worker Registration Taskforce Report, pp.29-30

rights and promoting supported decision making in daily living. There will also be a focus on using appropriately trained and suitable workers, with providers checking participant satisfaction with worker fit and skills.

In August 2024, the NDIS Commission began consulting with providers and the sector on new SIL Practice Standards and proposed changes to the current NDIS Practice Standards to support improvements to quality and safety. For example, discussions have considered whether standards should shift from a 'service outcome' to a 'participant outcome' approach while maintaining a strong focus on human rights. The NDIS Commission will use quality indicators to help auditors assess whether providers are delivering the outcomes participants want.

Support Coordination

[Part 1 of our OMI into support coordination](#) (and plan management) showed these services have an important role in supporting participants to navigate the NDIS and connect with appropriate supports. Good support coordinators help participants exercise choice and control and can identify when supports are not meeting their needs.

However, our inquiry found widespread issues with integrity in support coordination services, with 43% of complaints raising concerns about conflicts of interest, coercion, and denial of participant choice and control.⁴ 87% of complaints highlighted problems with the quality of service delivery, including inadequate supports, poor communication and errors in understanding NDIS requirements.⁵ Particularly troubling examples emerged of support coordinators failing to act when participants faced serious risks. Some failed to act when participants were physically assaulted, while others provided inadequate supervision of supports while participants continued paying significant amounts for services. In multiple cases, support coordinators failed to respond when participants were living with inadequate equipment or in unsafe conditions.⁶

In response to these findings, Part 2 of our OMI examined potential changes to the regulation of support coordination and plan management. This review aimed to:

- Address the quality and safeguarding concerns identified in Part 1.
- Build on the positive contributions of effective support coordination and plan management.

The resulting [action plan](#) draws on findings from Part 1 of the inquiry, the Disability Royal Commission and the NDIS Review to improve the quality and integrity of these services.

⁴ NDIS Commission Own Motion Inquiry into Support Coordination and Plan Management Part 1, p.8

⁵ NDIS Commission Own Motion Inquiry into Support Coordination and Plan Management Part 1, p.22

⁶ NDIS Commission Own Motion Inquiry into Support Coordination and Plan Management Part 1, p.24

What changes are we proposing?

For SIL

The Hon Bill Shorten MP has announced that all SIL providers must be registered with the NDIS Commission. These proposed changes would take effect no earlier than 1 July 2025.

Current arrangements

Currently, Registration Group 0115 (*Assistance with Daily Life Tasks in a Group or Shared Living Arrangement*) includes multiple support types:

- Supported Independent Living (SIL)
- Short Term Accommodation supports (STA)
- Medium-Term Accommodation supports (MTA)
- Individualised Living Options (ILO)

Proposed mandatory registration changes

To implement mandatory registration for SIL, we propose to create a specific category within Registration Group 0115 called *Assistance with Supported Independent Living* and make registration mandatory for all providers delivering SIL supports under this category.

This change would only impact providers delivering SIL supports. It would not impact providers delivering other supports within Registration Group 0115 such as STA, MTA or ILO.

For registered NDIS providers who are delivering SIL as described but are not registered to deliver Registration Group 0115, they must apply to have support category 0115 added to their registration by the date of implementation.

Transition arrangements for SIL providers

Group 1: Unregistered providers

- Must submit a registration application within three months from implementation date
- Must demonstrate compliance with the Core Module within 12 months of registration application through a certification audit
- Providers can continue delivering supports during the registration process.

Group 2: Registered providers (but not for 0115)

- If not already, registered providers must demonstrate compliance with the Core Module within 12 months of registration application through a certification audit
- Providers can continue delivering supports during the registration process.

-
- The NDIS Commission may consider transitioning some already registered providers through a Commission initiated variation to implement this change.

Group 3: Currently registered for Registration Group 0115

- No action is required
- Registration for Registration Group 0115 becomes mandatory.

For support coordination

The Hon Bill Shorten MP has announced that all support coordination providers must be registered with the NDIS Commission. These proposed changes would take effect no earlier than 1 July 2025.

Current arrangements

Currently, support coordination services are delivered under two different registration groups:

- Registration Group 0106: Support coordination (Levels 1 and 2)
- Registration Group 0132: Specialist support coordination (Level 3).

Level 1 and 2 support coordinators who are registered must comply with the Core Module, while support coordinators delivering level 3 specialist support coordination must comply with both the Core Module and the supplementary specialist support coordination module. Registration is not currently mandatory.

Proposed mandatory registration changes

To implement mandatory registration for all support coordination providers, we propose to:

1. Consolidate all support coordination services under Registration Group 0132 (*Specialised Support Coordination*). This would mean levels 1 and 2 support coordination would be moved from Registration Group 0106 to Registration Group 0132.
2. Make registration mandatory for all providers delivering any level of support coordination under this group.

We are proposing the following changes to each level of support coordination:

Level 1: Support connection

- Mandatory registration required
- Must complete a certification audit against the Core Module
- Registration conditions will specify basic support coordination skills requirement.

Level 2: Coordination of supports

- Mandatory registration required
- Must complete a certification audit against the Core Module

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- Registration conditions will specify intermediate support coordination skills requirement.

Level 3: Specialist support coordination

- Mandatory registration required
- Must complete a certification audit against both:
 - Core Module
 - Specialist support coordination Module
- Must meet specialist skills requirement.

While all support coordination will be registered under Registration Group 0132, providers will only be approved to deliver specific levels of support coordination based on their demonstrated skills and qualifications.

In late 2024, [Part 2 of our OMI into Plan Management and Support Coordination](#) was published. This outlined the need for a new NDIS Practice Standard for intermediary supports. We will be progressing this action following changes to mandatory registration.

Transition arrangements for support coordination providers

Group 1: Unregistered providers

- Must submit registration application within 3 months from implementation date
- Will be assessed against the Core Module and must complete full certification audit within 12 months from registration application. Where necessary, providers will be assessed against the supplementary specialist support coordination module if intending to deliver level 3 support coordination.

Group 2: Registered providers (but not for support coordination)

- Can apply to have registration varied to include support coordination.
- Will be assessed against the Core Module. Where necessary, providers will be assessed against the supplementary specialist support coordination module if intending to deliver level 3 support coordination.

Group 3: Registered support coordination providers

- For providers registered to deliver specialist support coordination under Registration Group 0132 no action is required. However, registration becomes mandatory.
- Providers registered under Registration Group 0106 (Levels 1 and 2) will transfer to Group 0132 and registration becomes mandatory. Where necessary, providers will be assessed against the supplementary specialist support coordination module if they are intending to deliver level 3 support coordination.
- The NDIS Commission may consider transitioning some already registered providers through a Commission initiated variation to implement this change.

What do these changes mean?

For participants and their supporters

These changes will bring stronger safeguards for participants through greater oversight of services. All providers will need to meet the same quality standards, leading to more consistent support. During the transition period, participants would continue receiving their current supports while their providers work towards registration.

However, if a provider chooses not to register, some participants may need to change to a new provider. If this happens, support will be available to help participants find new registered providers who can meet their needs.

For providers

These changes mean all SIL, and support coordination providers must become registered with the NDIS Commission as both SIL, and support coordination are considered higher risk supports requiring greater oversight. As part of registration, providers would need to undergo certification audits that check their services against the Core Module and any required supplementary modules. We understand providers need time to prepare for registration. While working towards registration, existing providers can continue delivering services to participants.

Feedback on proposed changes

We recommend that you do not provide your personal and/or sensitive information. If you have a complaint about a provider or worker, please go to the [complaints page of the NDIS Commission's website](#).

We seek your feedback regarding the proposed changes with consideration to the following questions:

For participants and their supporters

1. Do you think the proposed mandatory registration changes for SIL and support coordination will impact the ways you access and receive these supports?
2. Do you think the proposed transition arrangements will help manage these impacts?
3. What support or information would be helpful to assist you prepare for these changes?

For providers

1. Please tell us about your organisation's current registration status and supports delivered
2. Do you think the proposed transition arrangements will help your organisation to meet the proposed mandatory registration changes for SIL and/or support coordination?
3. What other considerations should be taken into account when implementing mandatory registration for SIL and/or support coordination?
4. Are the proposed transition timeframes (3-month application and 12-month audit completion) achievable for your organisation? What would impact your ability to meet these timeframes?
5. What support or information would be helpful to assist you prepare for these changes?

How to provide feedback

To provide your feedback you can:

- Complete the [survey](#)
- Make a written submission to consultations@ndiscommission.gov.au with your responses to the consultation questions.