

NDIS Commission Regulatory Priorities 2024–25 Report

November 2025

The NDIS Quality and Safeguards Commission (NDIS Commission) is tasked with overseeing the delivery of high-quality services and safeguarding the rights of individuals with disability under the National Disability Insurance Scheme (NDIS). The NDIS Commission monitors levels of compliance, emerging risks and time-sensitive matters through its core regulatory functions. It undertakes targeted and systemic regulatory activities through targeted campaigns and enforcement actions.

At the start of each financial year, the NDIS Commission identifies specific **Regulatory Priorities** to direct resources and effort to areas of heightened risk. These priorities enable the NDIS Commission to mitigate potential harm to participants and maintain the integrity of the NDIS.

For 2024-25, we had a focus on quality and safe supports in regional and remote locations, and activity which intersects with other regulators. We did this by using a range of **proactive** and **reactive levers**, often in combination, to address risk and provide quality and safeguarding support in response to the regulatory priorities.

Our compliance and enforcement actions, and performance reports are published on the website .

Some of our regulatory actions and outcomes we achieved are as follows.



We will reduce and eliminate the use of restrictive practices through monitoring the quality and compliance of behaviour support plan development and implementation.

Actions Taken:

- We established a <u>Positive Behaviour Support Training Package</u> to educate and build the capability of up to 15,000 disability support workers by providing access to e-learning courses on Positive Behaviour Support, Human Rights, and Trauma-Informed Support available under a two-year licencing period.
- We delivered targeted *education* and engagement to 129 NDIS providers to increase their understanding and capability to meet the legislative requirements to obtain authorisation and behaviour support plans relating to 419 NDIS participants subject to unauthorised restrictive practices.
- We delivered a targeted compliance campaign to ensure providers are aware of the need to reduce the use of environmental restraints contained in behaviour supports plans lodged with the NDIS Commission.
- We finalised a targeted compliance campaign and *enforced* the NDIS Act, sanctioning unregistered NDIS providers that were implementing regulated restrictive practices, requiring them to meet quality and safety standards.
- We published <u>new easy read sector resources</u>, practice guides, position statements, provider newsletters and social media posts to educate providers and workers on their obligations in reducing and eliminating the use of restrictive practices.
- We *influenced* the sector by attending 15 Communities of Practices for NDIS providers and behaviour support practitioners and delivering webinar sessions on topics such as *Developing Compliant Behaviour Support Plans* and *Developing Behaviour Support Plans: Environmental Restraint*.
- We *monitored* the quality and compliance of comprehensive behaviour support plans lodged with the NDIS Commission through randomised sampling and review.
- We responded to 11,781 enquiries in relation to behaviour support and the use of restrictive practices to build capability of NDIS providers and safeguard NDIS participants.

Key Outcomes:

 The Positive Behaviour Support Training Package will build workforce knowledge in Positive Behaviour Support and human rights. This will build the understanding of the impact of restrictive practices. The training has been launched, and outcomes will be reported in future cycles following implementation and evaluation.

- Assessment of a large number of behaviour support plans across 287 implementing providers, with a focus on reducing the use of environmental restraints.
- Enforced the law using a range of statutory and non-statutory powers to bring providers into compliance with legislative obligations.
- Use of proactive and reactive regulatory levers against registered NDIS providers resulting in improved compliance with monthly reporting obligations.
- Ensured a targeted number of specialist behaviour support providers completed mandatory training, lifting the quality of positive behaviour support plans developed.
- Use of proactive and reactive regulatory levers against unregistered NDIS providers using regulated restrictive practices while providing Supported Independent Living services.
- Redesigned, accessible and plain language webpages and resources centred on provider obligations around behaviour support, all of which are in a centralised location.
- Quality scores for a snapshot sample of behaviour support plans maintained and improved compliance by providers in consulting with participants in the development of behaviour support plans was noted. Outcomes from this work will inform future regulatory activity including evidence-informed education and compliance campaigns.
- Used data as an evidence base to develop interventions aimed at reducing restrictive practices and enable more accurate tracking on the reduction and elimination of restrictive practices.



Our priority focus:

We will ensure registered NDIS providers comply with their conditions of registration, especially auditing requirements, effective management systems, and reporting obligations.

Actions Taken:

- We *enforced* the law by revoking 566 registrations due to non-compliance with the NDIS Act and NDIS Practice Standards.
- We *required* 5,276 registered NDIS providers in breach of registration conditions to take corrective action.
- We conducted sector-wide *education* initiatives on registration applications and conditions.

 Through targeted compliance campaigns, we ensured providers and workers understood registration obligations and effectively managed high-risk practices such as, mealtime management.

Key Outcomes:

- Improved understanding by the sector on complying with registration conditions and a reduction in non-compliance.
- Enforced the law using a range of statutory and non-statutory powers to bring 2,602
 registered NDIS providers into compliance with their registration conditions and removing
 non-compliant providers from the market, ensuring safer, more accountable provider
 options for people with disability.
- Used data as an evidence base to develop interventions aimed at reducing restrictive practices and enable more accurate tracking on the reduction and elimination of restrictive practices.



Our priority focus:

We will ensure supports and services are delivered by registered and unregistered providers and workers to people with disability in safe and competent manner, and with care and skill, particularly in accommodation settings.

Actions Taken:

- We conducted a dedicated compliance campaign to *ensure* and strengthen our regulation of specialist disability accommodation and supported independent living, involving 243 site visits and 416 compliance inspections assessing providers and workers against quality and safety standards for the critical areas of housing and living supports.
- We commenced a targeted compliance campaign of NDIS providers that are co-regulated by state/territories for providing out of home care, visiting 36 providers to *ensure* their compliance with NDIS quality and safety standards.
- Following our <u>Own Motion Inquiry into Support Coordination and Plan Management</u> we
 conducted a targeted compliance campaign of registered and unregistered providers of support
 coordination to *influence* the quality of support coordination services and conflict of interest
 management.

- We conducted targeted compliance campaigns across 77 regional, remote and very remote
 locations to educate and support First Nations NDIS participants and remote communities to be
 informed consumers and active advocates and influence NDIS providers and workers to identify
 and understand their obligations and improve their practice to deliver services safely and
 competently.
- We commenced a targeted compliance campaign on safety and quality of mealtime management with 20 provider site visits and engagement and *consultation* with many participants or their decision maker around mealtime management.
- We took 945 safeguarding actions to *respond* to the risk of immediate harm to NDIS participants, this included addressing the use of high risk and prohibited practices.

Key Outcomes:

- Enforced the law using a range of statutory and non-statutory powers to improve overall service delivery.
- Better educational resources for the sector relating to their obligations around conditions
 of registration and quality registration applications.
- An external review of the <u>Positive Behaviour Support Capability Framework</u> and the NDIS behaviour support practitioner suitability process to uplift the skills, capabilities, knowledge and regulatory oversight of NDIS Behaviour Support Practitioners over the next five years. Sector consultation of a proposed five-year roadmap to achieve this uplift and increase oversight of NDIS practitioners will be a focus for 2025/26.
- We strengthened collaborative safeguarding efforts with key agencies and co-regulators to ensure the safety of participants.



Our priority focus:

We will regulate registered and unregistered NDIS providers' conduct in respect to individual participant rights, independence and choice and control.

Actions Taken:

• We produced and published a video in multiple languages and Auslan, to *educate* and raise the awareness of provider obligations under the <u>NDIS Code of Conduct</u>.

 We undertook targeted compliance visits focusing on NDIS providers operating supported boarding houses *ensuring* they meet their responsibilities to respect participant rights, independence, choice and control.

Key Outcomes:

- Enforced the law using a range of statutory and non-statutory powers to hold providers to account in their obligations under the NDIS Act and NDIS Code of Conduct.
- Enhanced understanding of the *NDIS Code of Conduct*, ensuring both registered and unregistered providers comply with their legal responsibilities.
- Strengthened collaboration between key agencies and co-regulators to respond to issues which impact on the rights of people with disability.



Our priority focus:

We will prevent and remove unscrupulous providers and workers from operating in the NDIS, by focussing on pricing, false and misleading conduct, and serious organised crime.

Actions Taken:

- The NDIS Commission's Fraud Fusion Taskforce team identified and responded to fraudulent conduct with compliance and enforcement action through issuing a total of 71 regulatory outcomes, including 43 banning orders.
- We collaborated with key stakeholders, including the Australian Competition and Consumer Commission and NDIA, to *respond* to price differentiation concerns at the taskforce level.
- We developed a video educating providers on price differentiation and the importance of compliance with legislative obligations under the NDIS Act and NDIS Code of Conduct.
- We improved our prioritisation of compliance and investigation matters, ensuring that the NDIS Commission focussed on the most significant issues.
- We improved governance to ensure matters are addressed promptly, and the full range of our reactive and proactive regulatory levers are used.
- We significantly increased the number of registration refusals through establishing a risk-based assessment structure, allocating resources to focus on the identification and refusal of high-risk applications for registration.

- We increased operational coordination between the NDIS Commission's Fraud Fusion Taskforce team and operational areas of the NDIS Commission to identify registration suitability issues.
- We established a working group on Making a Difference Mealtime Management to *influence* the sector around mealtime management.

Key Outcomes:

- Enforced the law using a range of statutory and non-statutory powers to hold providers to
 account in their obligations under the NDIS Act and NDIS Code of Conduct including eight
 civil penalty proceedings.
- Improved stakeholder relationships with the NDIA and key co-regulators to address mutual issues and *influence* the sustainability of the NDIS.
- Participants, providers and workers have a better understanding of price differentiation and the consequences of unscrupulous behaviour.
- Developed media releases to act as a deterrent to the sector.
- Significant increase in registration refusals and revocations due to the identification of suitability issues and monitoring of compliance with conditions of registration.

The NDIS Quality and Safeguards Commission remains steadfast in its commitment to enhancing the quality of services and safeguarding the rights of participants under the NDIS. The Regulatory Priorities for 2024-2025 focussed on reducing restrictive practices, ensuring provider compliance, and protecting individual rights. Through a combination of proactive compliance campaigns, educational initiatives, and targeted regulatory actions, the NDIS Commission aimed to drive improvements across the sector.

By continuing to refine its regulatory approach and adapting to emerging risks and challenges, the NDIS Commission will further strengthen the integrity of the NDIS and contribute to positive outcomes for people living with disability across Australia.