NDIS Quality and Safeguards Commission Regulatory Expectations for Approved Quality Auditors: Impartiality, Independence and Conflict of Interest

Contents

1. Definitions

Table 1 – Definitions, key terms and abbreviations used in this document

Term or Abbreviation	Description
AQA	Approved quality auditor approved by the NDIS Commissioner under section 73U of the NDIS Act
AQA Code of Conduct	Code of Conduct for Approved Quality Auditors as set out under Annex A of the AQA Guidelines
AQA Guidelines	*National Disability Insurance Scheme (Approved Quality Auditors Scheme) Guidelines 2018*
AQA Rules	*National Disability Insurance Scheme (Approved Quality Auditors) Rules 2025*
Auditor	A person employed, contracted or otherwise engaged by the approved quality auditor to conduct an audit. An auditor includes an auditor-in-training and an audit team leader but does not include a consumer technical expert
Certification activity	The independent assessment and decision-making processes an AQA undertakes to determine whether an NDIS provider meets the applicable NDIS Practice Standards.
Certification body	A body that has received JASANZ accreditation towards becoming an AQA.
Consultancy	Participation in a) the designing, manufacturing, installing, maintaining or distributing of a certified product or a product to be certified, or b) the designing, implementing, operating or maintaining of a certified process or a process to be certified, or c) the designing, implementing, providing or maintaining of a certified service or a service to be certified
Consumer technical expert	A person with disability who has the training, experience or skills to be involved in the audit team.
Impartiality	Presence of objectivity. *Notes:* Objectivity is understood to mean that conflicts of interest do not exist or are resolved so as not to adversely influence the activities of

	the body. Other terms that are useful in conveying the element of impartiality are independence, freedom from conflicts of interest, freedom from bias, freedom from prejudice, neutrality, fairness, open-mindedness, even-handedness, detachment and balance.
ISO 17065	ISO/IEC 17065:2012 - International standard for Conformity assessment - Requirements for bodies certifying products, processes and services.
JASANZ	The Joint Accreditation System of Australia and New Zealand being the body responsible for the accreditation of Certification Bodies
NDIS	National Disability Insurance Scheme
NDIS Act	*National Disability Insurance Scheme Act 2013* (Cth)
NDIS AQA Scheme	NDIS Approved Quality Auditors Scheme as set out under the AQA Guidelines
NDIS Commission	NDIS Quality and Safeguards Commission
NDIS Commissioner	The Commissioner of the NDIS Quality and Safeguards Commission referred to in section 181C of the NDIS Act
NDIS Practice Standards	Established national standards and expectations of a provider relevant to the supports or services provided, as set out under the Provider Registration Rules
NDIS Provider	As defined under section 9 of the NDIS Act
Provider Registration Rules	*NDIS (Provider Registration and Practice Standards) Rules 2018*
Quality Audit	Audit undertaken by an approved quality auditor to assess a provider against applicable NDIS Practice Standards and in accordance with the AQA Guidelines
Registered NDIS Provider	A person or entity who is registered under section 73E of the NDIS Act

2. Executive Summary

The NDIS Commission's regulatory expectations for Approved Quality Auditors (AQAs) focus on managing impartiality, independence and conflicts of interest within the NDIS Approved Quality Auditors Scheme. These expectations clarify how AQAs are to identify, assess and manage risks to impartiality arising from their activities, arrangements and relationships, including those involving consultants and other third parties.

Certification activities must be, and be seen to be, independent of consultancy and commercial influence. AQAs operate as third-party certification bodies and are required to maintain robust governance, structural separation and impartiality controls to ensure certification decisions remain objective, evidence-based and free from undue influence.

Arrangements that compromise or appear to compromise impartiality, including referral fees, commission-based or success-based payments, revenue-sharing arrangements, exclusivity, or any financial or other benefit linked to referrals, are incompatible with AQA obligations and must not be entered into.

AQAs are expected to maintain effective systems to safeguard impartiality, including documented impartiality risk assessments, an impartiality register, separation of evaluation and certification decision-making, and transparent complaints and appeals processes.

Where serious or systemic risks to AQA impartiality are identified, the NDIS Commission will apply a proportionate, risk-based regulatory approach. This may include regulatory action in relation to AQA approval, such as imposing conditions or revoking approval, and, where relevant, action under the NDIS Act in relation to NDIS provider registration to protect the integrity, credibility and public confidence of NDIS certification activities.

3. Regulatory context and drivers for reform

Through regulatory intelligence, monitoring activities and sustained engagement with the AQA sector over an extended period, including direct engagement with specific AQAs, the NDIS Commission has identified arrangements between AQAs, AQA personnel (including auditors) and consultants that are not aligned with independence and impartiality requirements. These arrangements have primarily arisen in the context of financial and commercial interactions linked to audit referrals, including referral fees, commissions and revenue-sharing practices.

The NDIS Commission has previously sought to address these risks through guidance and repeated engagement aimed at clarifying regulatory expectations and reinforcing the obligation for certification activities to be independent of consultancy and commercial influence. However, regulatory intelligence indicates that, notwithstanding these efforts, unacceptable risks to the integrity of certification activities have persisted. These risks are not limited to isolated conduct but reflect systemic vulnerabilities that give rise to actual or perceived conflicts of interest, undermining confidence in the objectivity, credibility and defensibility of audit outcomes.

In this context, the NDIS Commission considers that guidance and engagement alone are no longer sufficient to mitigate these risks or safeguard the integrity of the certification function. Clearer and more enforceable regulatory expectations are required to address structural and commercial drivers of impartiality risk. Targeted and proportionate regulatory responses, including through the imposition of conditions on AQA approval, are intended to strengthen impartiality safeguards, protect the integrity of certification decisions and maintain public confidence in the operation of the NDIS Approved Quality Auditors Scheme (NDIS AQA Scheme).

4. Purpose

This paper sets out the NDIS Commission's regulatory expectations for AQAs in managing impartiality, independence and conflicts of interest within the NDIS AQA Scheme. It clarifies how AQAs and AQA personnel (including auditors) are expected to comply with their obligations under section 73U of the NDIS Act, the AQA Rules, the AQA Scheme Guidelines and the AQA Code of Conduct, as informed by the impartiality and independence requirements in ISO 17065.

In particular, the paper explains the operation of the specific mechanisms required to safeguard impartiality, including the obligation under clause 35 of the AQA Scheme Guidelines to establish and maintain a documented mechanism for managing impartiality, and the related obligations in clauses 31 to 36 to identify, analyse, manage, document and monitor actual and perceived conflicts of interest. These requirements align with ISO 17065 clauses 4.2 and 5.2, which require certification bodies to identify and control risks to impartiality arising from activities, relationships and commercial arrangements, and with the AQA Code of Conduct, which requires AQAs and AQA personnel (including auditors) to act with integrity, objectivity and independence and not to accept inducements or benefits that could influence certification activities.

The document is primarily directed to AQAs and AQA personnel (including auditors) and reinforces mandatory governance, conduct and accreditation requirements applicable under the NDIS AQA Scheme. It is also relevant to consultants and NDIS providers to the extent that their conduct or arrangements may affect an AQA's ability to comply with these obligations. The purpose of this paper is to support certification activities that are independent, evidence-based and defensible, and to safeguard the integrity and public confidence of the NDIS certification system.

5. Scope and audience

These expectations apply to AQAs approved under the NDIS AQA Scheme. While consultants, advisory firms and NDIS providers are not themselves subject to the NDIS AQA Scheme or ISO 17065, this guidance is relevant to those parties to the extent that their conduct, arrangements or practices may affect an AQA's ability to comply with its statutory, scheme and accreditation obligations.

Obligations relating to independence and impartiality rest solely with AQAs. However, the conduct of consultants and NDIS providers may give rise to actual or perceived conflicts of interest that AQAs are required to identify, assess and manage in accordance with their governance and impartiality obligations.

6. Regulatory framework

Certification activities undertaken by AQAs must be, and must be seen to be, independent of consultancy and commercial influence. This requirement is grounded in, and informed by, the following:

- *National Disability Insurance Scheme Act 2013* (Cth) (NDIS Act)
- *National Disability Insurance Scheme (Approved Quality Auditors) Rules 2025* (AQA Rules)
- *National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018* (Provider Registration Rules)
- *National Disability Insurance Scheme Approved Quality Auditors Scheme Guidelines 2018* (AQA Scheme Guidelines)

- ISO/IEC 17065:2012 *Conformity assessment — Requirements for bodies certifying products, processes and services* (ISO 17065).

The regulatory framework is also informed by ongoing legislative reform, including the *National Disability Insurance Scheme Amendment (Integrity and Safeguarding) Act 2026*, which is intended to strengthen the NDIS Commission's integrity, safeguarding and enforcement functions.

Statutory and scheme framework

Section 73U of the NDIS Act establishes the statutory powers of the NDIS Commissioner in relation to the NDIS AQA Scheme, including powers to oversee, regulate and enforce compliance by AQAs. These powers enable the NDIS Commission to ensure that certification activities are conducted consistently with the NDIS Commission's quality and safeguarding objectives.

The **Provider Registration Rules**, made for the purposes of the NDIS Act, set out quality audit and NDIS Practice Standard requirements that are applied by AQAs when assessing the competency, skills and experience of persons seeking registration as NDIS providers. The NDIS Practice Standards comprise different modules, which AQAs must apply having regard to the scope of supports and services a provider is delivering, or proposing to deliver, as a registered NDIS provider.

The **AQA Rules**, also made for the purposes of section 73U of the NDIS Act, set out matters to which the NDIS Commissioner must have regard when making decisions to approve an AQA, impose conditions on an AQA's approval, or revoke approval.

The **AQA Scheme Guidelines** establish the NDIS AQA Scheme and prescribe mandatory requirements relating to governance, impartiality, competence and accreditation. These include:

- the **AQA Code of Conduct**, which sets out requirements for AQAs and AQA personnel (including auditors) to act with integrity and objectivity, and to ensure that certification decisions are evidence-based and free from commercial or organisational influence; and
- **accreditation requirements**, assessed by the Joint Accreditation System of Australia and New Zealand (JASANZ), including compliance with ISO 17065 and scheme-specific criteria to ensure technical competence and effective impartiality systems at an organisational level.

ISO/IEC 17065:2012

ISO 17065 is the international standard specifying requirements for bodies certifying products, processes and services, including requirements relating to independence, impartiality, competence, governance and decision-making. Under the NDIS AQA Scheme, AQAs operate as third-party certification bodies and are therefore required, as a condition of accreditation, to comply with ISO 17065. The standard provides the internationally recognised assurance framework against which AQAs' organisational systems, impartiality controls, certification processes and governance arrangements are assessed by JASANZ.

Central to ISO 17065 is the requirement that certification activities are, and are seen to be, impartial and free from conflicts of interest. The standard requires certification bodies to identify, analyse, manage and monitor risks to impartiality arising from activities, relationships or commercial arrangements, including relationships external to the organisation. These requirements underpin key elements of the NDIS AQA Scheme and are reflected in the AQA Rules, the AQA Scheme Guidelines including the AQA Code of Conduct.

Collectively, these legislative, scheme and accreditation requirements inform the NDIS Commission's regulatory oversight of AQAs and establish the standards that must be met to maintain the integrity, independence and public confidence of certification activities conducted under the NDIS AQA Scheme.

7. Overview of the NDIS AQA Scheme

The NDIS AQA Scheme establishes the framework under which certification bodies are approved to conduct independent quality audits of NDIS providers. The NDIS AQA Scheme sets out the eligibility criteria, operational requirements and governance expectations that AQAs must satisfy to obtain and maintain approval. It defines the standards for auditor competence, audit methodology, organisational capability, and quality management systems, ensuring that certification activities are delivered consistently, transparently and in alignment with nationally recognised assurance practices.

The NDIS AQA Scheme also prescribes oversight mechanisms such as reporting obligations, performance monitoring, and approval conditions, to enable the NDIS Commission to regulate AQA conduct and ensure the integrity of the certification system. Through these requirements, the NDIS AQA Scheme supports a national, risk-based auditing environment designed to uphold the safety, rights and wellbeing of NDIS participants.

8. Expectations of AQAs

This section sets out the NDIS Commission's regulatory expectations for AQAs in managing impartiality, independence and conflicts of interest arising from arrangements with consultants, including commercial referral and revenue-sharing arrangements. These expectations reflect the requirement that certification activities must be, and be seen to be, independent of consultancy and commercial influence.

Where conduct inconsistent with the expectations outlined in this section is identified, the NDIS Commission will apply a proportionate, risk-based regulatory approach. This may include regulatory action in relation to AQA approval, such as imposing, varying or removing conditions on approval, requiring AQAs to cease or remediate particular arrangements or practices, directing corrective action plans or enhanced impartiality controls, requiring additional reporting or independent review, revoking approval in serious cases, banning auditors, or requiring further education, remediation or corrective action by AQAs and AQA personnel (including auditors) in relation to their obligations.

These interventions are directed at safeguarding the integrity of certification activities, addressing systemic or ongoing risks to impartiality, and maintaining public confidence in the NDIS AQA Scheme.

Core requirement (impartiality)

Certification activities must be, and must be seen to be, independent of consultancy and commercial influence. Any arrangement that involves the exchange of financial or other benefits for audit referrals creates a significant risk of actual or perceived conflicts of interest and is incompatible with the NDIS Approved Quality Auditors Scheme Guidelines including the AQA Code of Conduct, and the impartiality and independence controls required under ISO 17065 (clauses 4.2 and 5.2). Such arrangements introduce self-interest and familiarity threats that undermine the objectivity, credibility and defensibility of certification decisions.

Under the AQA Scheme Guidelines, AQAs are required to establish and maintain a documented mechanism to safeguard impartiality and to identify, analyse, manage, document and monitor actual and perceived conflicts of interest (clauses 31–36). In particular, clause 35 requires AQAs to implement effective arrangements to manage impartiality risks arising from external relationships and commercial arrangements, including those involving consultants and referral sources. Referral, commission or benefit-based arrangements linked to audit work are incompatible with these requirements because they create risks to impartiality that cannot be adequately mitigated through controls or disclosures.

This conduct is also inconsistent with the AQA Code of Conduct (Annex A to the AQA Scheme Guidelines), which requires AQA personnel (including auditors) to:

- act with integrity, objectivity and independence in the performance of certification activities;
- ensure certification decisions are evidence-based and free from commercial, organisational or personal influence; and
- not offer, request or accept inducements, benefits or advantages that could influence, or be perceived to influence, audit outcomes or certification decisions.

Arrangements involving financial or other benefits for referrals compromise these fundamental obligations by creating incentives that may influence, or appear to influence, audit planning, auditor behaviour or certification decision-making, thereby eroding confidence in the independence of the NDIS certification system.

'Other benefits' may include, but is not limited to, advantages such as preferential access to clients or audit work, discounted or free services, reciprocal marketing or promotion, data or intelligence sharing, future work expectations or guarantees, priority scheduling, favourable commercial terms, or any arrangement that could influence, or be perceived to influence, certification activities.

Finally, ISO 17065 requires certification bodies to maintain independence from consultancy and to safeguard impartiality through a formal, organisation-wide mechanism (clauses 4.2 and 5.2). Financial or benefit-based referral relationships blur the required separation between certification and consultancy, heighten self-interest and familiarity threats, and undermine both the reality and perception of impartiality required of AQAs operating as third-party certification bodies under the NDIS AQA Scheme.

Prohibited and high-risk arrangements

The NDIS Commission considers the following arrangements to constitute a breach of AQA impartiality and conduct obligations set by the AQA Code of Conduct and ISO 17065 and therefore **must not** be entered into (AQA Code of Conduct; ISO 17065 clauses 4.2 and 5.2):

- Payment of referral fees by an AQAs or AQA personnel (including auditors) to a consultant, or by a consultant to an AQA or AQA personnel (including auditors), in connection with audit work.
- Revenue sharing arrangements linked in any way to audits, certifications or the acquisition of audit clients.

- Commission-based or success-based payments, including outcome contingent or performance driven financial incentives.
- Exclusive referral partnerships or preferred supplier agreements where access to referrals is conditional or commercially influenced.
- Any gift, hospitality, inducement or other benefit offered, requested or accepted with the intention or effect of steering audit work.
- Lead-purchase, marketing or similar commercial arrangements where a consultant both prepares a provider for audit and derives value from directing that provider to a particular AQA.

Such arrangements introduce financial dependence, create incentives for favourable or compromised outcomes, and undermine both the perception and reality of impartiality, contrary to the independence and conflict of interest requirements set out in ISO 17065 (cl 4.2, 5.2).

Acceptable engagement (with controls)

AQAs remain responsible for demonstrating that any engagement or referral does not compromise, or appear to compromise, impartiality. Documentation must be sufficient to evidence compliance with the AQA Code of Conduct and ISO 17065 (clauses 4.2 and 5.2).

The NDIS Commission recognises that AQAs may:

- Engage in general marketing activities and attend industry forums or events, provided these activities promote awareness of services without creating expectations of preferential treatment or referral-based benefits.
- Be selected by providers following consultant recommendations where no benefit is exchanged, noting that consultants may share general market knowledge, but must not be incentivised to direct providers to a particular AQA.
- Receive referrals where no financial or other benefit is offered, requested or provided, and where such referrals arise organically through market engagement rather than commercial arrangements.

In all cases, AQAs must ensure the following controls are in place (AQA Code of Conduct; ISO 17065 clauses 4.2 and 5.2):

- No financial or commercial benefit is exchanged for audit referrals, including the absence of informal, verbal or implied incentives that could influence audit selection.
- All consultant relationships are subject to documented impartiality risk assessments and recorded in an impartiality register, ensuring transparency and enabling governance oversight.
- Audit team allocation, review and certification decisions remain structurally independent from business development functions and any consultant relationships, with clear separation of duties to safeguard impartiality.
- Actual and perceived conflicts are identified, managed, disclosed and, where necessary, avoided, including declining or reassigning work where independence may reasonably be questioned.

The following sections outline expectations for key market actors whose conduct may give rise to impartiality risks for AQAs.

9. Expectations of AQA Auditors

The NDIS Commission recognises that individuals working within the NDIS market may have skills or experience relevant to both auditing and consulting activities. However, where AQA personnel (including auditors) engaged by an AQA, also provides consultancy services to NDIS providers, significant risks to impartiality, independence and public confidence arise.

Under the AQA Scheme Guidelines, AQAs are required to ensure that certification activities are conducted independently and to establish and maintain a documented mechanism to identify, analyse, manage and monitor actual and perceived conflicts of interest (clauses 31–36). In particular, clause 35 requires AQAs to have effective arrangements to manage impartiality risks arising from external relationships and activities, including where auditors have other commercial interests or roles. Where an auditor provides consultancy services to a provider, or has recently done so, this creates self-interest, familiarity and advocacy threats that are difficult to mitigate and may compromise, or appear to compromise, the auditor's objectivity.

This position is reinforced by the AQA Code of Conduct (Annex A to the AQA Scheme Guidelines), which requires AQAs and AQA personnel (including auditors) to:

- act with integrity, objectivity and independence in the performance of certification activities;
- ensure certification decisions are evidence-based and free from commercial, organisational or personal influence; and
- not offer, request or accept inducements, benefits or advantages that could influence, or be perceived to influence, audit outcomes or certification decisions.

AQA personnel (including auditors) who provide consultancy services to NDIS providers, particularly where those providers may be subject to audit by the same AQA, risk contravening these obligations by creating actual or perceived conflicts that undermine confidence in audit findings and certification decisions.

In addition, ISO 17065 requires certification bodies to maintain independence from consultancy and to identify and control risks to impartiality arising from activities, relationships or personnel (clauses 4.2 and 5.2). The standard makes clear that certification activities must be demonstrably independent of consultancy functions and that risks arising from dual roles must be avoided rather than managed where effective mitigation is not possible. Allowing auditors to act as consultants to providers they audit, or may audit, is inconsistent with these requirements because it blurs the required separation between certification and consultancy and heightens self-interest and familiarity threats.

Accordingly, the NDIS Commission expects AQAs to prohibit AQA personnel (including auditors) from providing consultancy services to prospective and/or registered NDIS providers where this would create an actual or perceived conflict of interest, including where the provider is audited by the AQA or is reasonably likely to seek audit services from that AQA. AQAs must have clear policies, role definitions and controls in place to prevent auditors from undertaking consulting activities that could compromise impartiality, and must ensure such risks are identified, documented and avoided through appropriate assignment, exclusion or structural separation.

Failure to appropriately manage or avoid these risks may result in regulatory action under section 73U of the NDIS Act, including the imposition of conditions on approval or other proportionate compliance responses, to safeguard the integrity, credibility and public confidence of NDIS certification activities.

10. Consultant conduct and implications for AQA compliance

While consultants are not directly subject to the NDIS AQA Scheme or the AQA Code of Conduct, the behaviour and practices of consultants are relevant insofar as they may give rise to non-compliance by AQAs with their impartiality and conduct obligations. AQAs are responsible for ensuring that their arrangements, interactions and relationships with consultants do not compromise, or appear to compromise, the independence of certification activities.

Practices by consultants such as offering, requesting or accepting referral fees, commissions or other benefits linked to audit referrals, or entering into arrangements that create conflicts of interest, will place AQAs in breach of their obligations under the AQA Code of Conduct and ISO 17065 particularly if such practices are tolerated, facilitated or inadequately managed.

AQAs must therefore ensure appropriate controls, disclosures and risk assessments are in place to identify, manage and avoid consultant behaviours that may adversely affect AQA compliance.

The NDIS Commission expects that NDIS providers engage directly with AQAs for the purpose of obtaining audit quotes, agreeing audit scope and planning audit activities, and that AQAs engage directly with providers to arrange, conduct and complete audits. Consultants may support providers in preparing for audit but should not act as intermediaries in audit engagement, planning or delivery where this would displace or obscure the direct professional relationship between the AQA and the provider.

11. Provider conduct and implications for AQA compliance

While NDIS providers are not subject to the AQA Code of Conduct or ISO 17065 impartiality controls, provider conduct is relevant to the extent that it may affect an AQA’s ability to comply with its obligations under the NDIS AQA Scheme.

Providers are expected to engage AQAs directly and independently, having regard to competence and impartiality, and to disclose to AQAs any consultant or advisory relationships that are relevant to the AQA’s impartiality assessment, consistent with the AQA Guidelines. Failure by a provider to disclose relevant relationships or arrangements may impede an AQA’s capacity to identify, assess and manage actual or perceived conflicts of interest.

In addition, providers must ensure that all information provided in connection with registration and quality audits is accurate and not misleading; providing false or misleading information is a contravention of section 73D of the NDIS Act (civil penalty) and may constitute a criminal offence under section 137.1 of the *Criminal Code Act 1995.*

Provider practices that obscure or misrepresent consultant arrangements may therefore contribute to non-compliance by AQAs with their impartiality and governance obligations.

Consistent with these expectations, the NDIS Commission expects that providers engage AQAs directly to seek quotes, confirm audit scope and plan audits, and do not rely on consultants to manage or control audit engagement or communications. Direct engagement supports transparency, enables AQAs to properly assess and manage impartiality risks, and reduces the likelihood of arrangements that may give rise to actual or perceived conflicts of interest.

12. AQA governance, oversight and transparency

AQAs must maintain effective governance, oversight and transparency arrangements to safeguard impartiality and manage risks arising from external and commercial relationships, in accordance with the AQA Code of Conduct, the AQA Rules, the AQA Scheme Guidelines and ISO 17065.

ISO 17065 requires certification bodies to establish and maintain a documented, organisation-wide mechanism to identify, assess, manage and monitor actual and perceived conflicts of interest, including those arising from commercial activities, external relationships or personnel arrangements (clauses 4.2 and 5.2). These mechanisms must be supported by appropriate governance oversight, including internal audits and management review processes (clauses 5.1 and 5.2). These requirements are reflected in the AQA Scheme Guidelines, which require AQAs to identify, analyse, manage and document impartiality risks and ensure effective governance oversight of those risks (Guidelines, clauses 31–36).

AQAs must ensure structural separation between audit activities, audit review and certification decision-making, and must maintain independent and effective complaints and appeals processes. AQAs are also required to maintain appropriate records, policies and registers to support transparency, accountability and regulatory assurance, consistent with ISO 17065 record-keeping and process requirements (clauses 7.5–7.11, 7.6 and 8).

Transparency and documentation are critical to demonstrating compliance with impartiality obligations. AQAs must maintain an impartiality register, record relationships with consultants and referral sources, and conduct documented impartiality risk assessments for relevant engagements or arrangements. Actual and perceived conflicts of interest must be identified, disclosed, managed and, where necessary, avoided, in accordance with the safeguards required under ISO 17065 (clauses 4.2, 5.2 and 8) and the AQA Scheme Guidelines (clauses 31–36).

Failure to establish, maintain or operate effective governance, oversight and transparency arrangements, including failures to identify, disclose or adequately manage conflicts of interest, may constitute a breach of the AQA Code of Conduct and may result in regulatory action under section 73U of the NDIS Act.

13. Safeguarding and public confidence

NDIS certification audits operate within a safeguarding context that involves participants who may be particularly vulnerable. The integrity of the certification process is therefore critical to maintaining confidence that audit outcomes are reliable, credible and capable of supporting the NDIS Commission’s safeguarding objectives. Public confidence depends on certification activities being conducted independently, objectively and free from commercial influence.

These expectations apply to AQAs as third-party certification bodies and require that certification outcomes are not influenced, steered or compromised by referral arrangements, financial incentives or other conflicts of interest. They reflect the impartiality obligations set out in the AQA Code of Conduct and the independence and conflict-of-interest controls required under ISO 17065 (clauses 4.2 and 5.2), which together ensure that certification decisions remain objective, defensible and aligned with the NDIS Commission’s safeguarding mandate.

14. Appendix

Appendix A: AQA Compliance Checklist

Mapped to the AQA Scheme Guidelines including AQA Code of Conduct and ISO 17065

This checklist summarises the minimum impartiality, independence and governance controls expected of Approved Quality Auditors (AQAs) in relation to consultant relationships, commercial referral practices and other external arrangements. These controls reflect mandatory obligations under the AQA Scheme Guidelines including the AQA Code of Conduct, and the impartiality requirements of ISO 17065.

Impartiality & Conflict-of-Interest Controls

☐ No referral fees, commissions or success-based remuneration in connection with audit or certification work.
(AQA Code of Conduct; AQA Scheme Guidelines cl 31–36; ISO 17065 cl 4.2, 5.2)

☐ No revenue-sharing, lead-purchase, exclusivity or preferred-supplier arrangements, gifts, hospitality or other financial or non-financial benefits that steer, influence or appear to influence audit work.
(AQA Code of Conduct; AQA Scheme Guidelines cl 35; ISO 17065 cl 4.2)

☐ All consultant and referral-source relationships are recorded in an impartiality register, capturing the nature of the relationship, associated risks and relevant controls.
(AQA Code of Conduct; AQA Scheme Guidelines cl 31–34)

☐ Documented impartiality risk assessments are completed for all engagements involving consultants, advisors or other external parties, including assessment of both actual and perceived conflicts.
(AQA Scheme Guidelines cl 31–36; ISO 17065 cl 4.2, 5.2)

☐ Actual and perceived conflicts of interest are identified, managed, disclosed and, where necessary, avoided, including declining or reassigning work where independence may reasonably be questioned.
(AQA Code of Conduct; AQA Scheme Guidelines cl 33–36; ISO 17065 cl 4.2)

Structural Independence

☐ Clear separation of duties between audit and evaluation activities, review functions and certification decision-making.
(ISO 17065 cl 5.2, 7.6)

☐ Business development, marketing and partnership functions have no role in audit team allocation, audit review or certification decisions.
(AQA Code of Conduct; ISO 17065 cl 4.2, 5.2)

Governance & Oversight

☐ A standing impartiality committee or equivalent mechanism with responsibility for overseeing impartiality risks, including risks arising from external and commercial relationships.
(AQA Scheme Guidelines cl 35; ISO 17065 cl 5.2)

☐ Periodic internal audits and management reviews specifically addressing impartiality risks, consultant relationships and control effectiveness.
(ISO 17065 cl 5.1, 5.2)

☐ Training and competence governance for audit, sales, marketing and partnership personnel on impartiality obligations, conflicts of interest and prohibited arrangements.
(AQA Code of Conduct; ISO 17065 cl 6.1)

☐ Independent complaints and appeals processes, with clear escalation pathways and whistleblower protections.
(AQA Scheme Guidelines; ISO 17065 cl 7.5–7.11)

Transparency & Documentation

☐ A public impartiality policy is maintained, current and accessible.
(ISO 17065 cl 4.6)

☐ Records of impartiality risk assessments, conflicts, committee deliberations and controls are maintained and provided to the NDIS Commission on request.
(AQA Code of Conduct; AQA Scheme Guidelines cl 31–36; ISO 17065 cl 4.2, 8)

Engagement & Referrals (Permitted with Controls)

☐ General marketing and participation in industry events is limited to promoting awareness and does not create expectations of preferential treatment or reciprocal referrals.

☐ Consultant recommendations may precede provider selection of an AQA only where no benefit is exchanged, and no incentive exists to steer providers to a particular AQA.

☐ Referrals may be accepted only where no financial or other benefit is offered, requested or provided, and where referrals arise organically rather than through commercial arrangements.

☐ In all cases, the following apply: no benefits for referrals; impartiality register entry; documented risk assessment; and structural separation between audit and certification decision functions.
(AQA Code of Conduct; AQA Scheme Guidelines cl 31–36; ISO 17065 cl 4.2, 5.2)

Notifications & Change Control

☐ Material changes (including ownership, governance, key personnel, organisational structure or external relationships) with potential implications for impartiality are identified, assessed, recorded and, where required, notified to the NDIS Commission and JASANZ.
(AQA Scheme Guidelines; NDIS Act s 73U; ISO 17065 cl 4.2, 5.2, 7.10)