



NDIS Quality
and Safeguards
Commission

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 the Australian Capital Territory on 1 July 2019 and will progressively roll out across Australia.

1 July 2018

1 July 2019

1 July 2020



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 the Australian Capital Territory?

The NDIS Commission introduced several changes for the Australian Capital Territory 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
Provider registration	Providers were registered with the NDIA. Registered providers were required to meet the NDIA Terms of Business, ACT Quality and Safeguards and Guide to Suitability, and be determined to have satisfied the requirements of a specialist disability provider by the Human Services Registrar (HSR).	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).
Standards of quality and safety	Registered providers were required to provide services and supports within a Standards framework such as the National Disability Service Standards or equivalent.	Registered providers must meet and be audited against the relevant NDIS Practice Standards.
Code of Conduct	Service providers had their own code of conduct arrangements.	All providers and workers in the NDIS must meet the NDIS Code of Conduct.
Worker screening	Service providers needed to ensure workers had a current Working With Vulnerable People (WWVP) Check and a method of monitoring currency of checks of their staff.	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.
Complaints management	Registered providers were required to have a clear and accessible complaints handling and dispute resolution process in place. NDIS participants could make complaints about providers through the Human Services Registrar, ACT Human Rights Commission, or Access Canberra (about a product or service). Complaints about the NDIA or participant plans were made to the NDIA or the Commonwealth Ombudsman.	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.
Behaviour support	The <i>Senior Practitioner Act 2018</i> provides a formal framework for the reduction and elimination of restrictive practices by service providers in the ACT. It also legislates the powers and functions of the Senior Practitioner.	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 Australian Capital Territory government remains responsible for the approval of behaviour support plans, which include the use of a regulated restrictive practice.
Incident management	Providers had to report all critical incidents to ACT Government Community services Directorate Director General through the Human Services Registrar (HSR). 'Designated entities' were also required to report allegations, offences or convictions relating to child abuse or child related misconduct under the ACT Reportable Conduct Scheme.	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. The ACT Reportable Conduct Scheme will continue post 1 July 2019.

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 Quality and Safeguards Commission website at www.ndiscommission.gov.au. You can contact the NDIS Commission at feedback@ndiscommission.gov.au or on **1800 035 544**.