



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 Queensland 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 Queensland?

The NDIS Commission introduced several changes for Queensland 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 registered with the NDIA. Registered providers were required to meet the NDIA Terms of Business and Queensland's existing requirements as outlined in the QLD Quality and Safeguards Working Arrangements and the NDIS Provider Registration Guide to Suitability.	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	Disability Services funded providers and NDIS registered providers were required to comply with the Human Services Quality Framework (HSQF). Providers funded by other agencies could use evidence of alternative accreditation for NDIS registration.	Registered providers must meet and be audited against the relevant NDIS Practice Standards.
Code of Conduct	Providers were required to have processes in place to ensure that the safety, wellbeing and human and legal rights of people using services were protected and promoted. (Human Services Quality Standard 4)	All providers and workers in the NDIS must meet the NDIS Code of Conduct.
Worker screening	Workers and volunteers employed by Department-funded non-government providers were subject to criminal history screening under the Yellow Card system, as are NDIS registered providers providing specialist disability services to people with disability. Where a provider delivered services to children and young people, criminal history screening under the Blue Card system was required.	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	NDIS participants could make complaints about the quality of NDIS services to the Department of Communities, Disability Services and Seniors. Complaints about the NDIA, NDIA staff, participant plans or decisions, or market capacity were made to the NDIA or to 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>Disability Services Act 2006</i> (Qld) regulates the Positive Behaviour Support and Restrictive Practices Framework and provides for the authorisation of restrictive practices to support individuals in specific circumstances.	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 Queensland government remains responsible for the legislative and policy frameworks regarding the authorisation of regulated restrictive practices in the NDIS.
Incident management	Disability Services funded providers were required to report critical incidents to the Department in line with the Critical Incident Reporting Policy and procedures., and have internal incident management systems in place for reporting to relevant external agencies.	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.

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**