



Welcome to the NDIS Quality and Safeguards Commission

Start your journey here

This guide will give you an overview of the NDIS Commission and the obligations that apply to NDIS providers under the new Quality and Safeguarding Framework.

It will also help you locate more detailed information within this information pack and on the NDIS Commission website.

What is the NDIS Commission?

The NDIS Quality and Safeguards Commission (the NDIS Commission) is an independent Australian government body that provides a nationally consistent approach to quality and safeguards in the NDIS.

The NDIS Commission will:

- **Improve the quality and safety of NDIS services and supports**
- **Support continuous improvement and quality in the NDIS**
- **Register NDIS providers**
- **Educate, guide and provide best practice information to NDIS providers**
- **Help providers meet their obligations**
- **Investigate and resolve problems**
- **Provide national consistency**

The NDIS Commission's role is to promote the rights of NDIS participants and work with providers to provide safe and high-quality supports and services to people with disability.

The National Disability Insurance Scheme Act 2013 sets out the functions of the NDIS Commission and quality and safeguarding obligations in the NDIS.

NDIS Commission establishment dates:

1 July 2018 NSW and SA

1 July 2019 VIC, QLD, TAS, ACT and NT

1 December 2020 WA

What is the role of the NDIS Commission?

The NDIS Commission brings together a range of quality and safeguarding functions under a single agency for the first time, with regulatory powers that apply across Australia.

What we do

NDIS Quality and Safeguards Framework

- NDIS Code of Conduct
- Registration & Quality Assurance
- Worker Screening
- Information Development and Capacity Building (this applies to both NDIS providers and people with disability)
- Monitoring, Investigation & Enforcement
- Behaviour Support
- Reportable Incidents
- Complaint Handling

What compliance powers does the NDIS Commission have?

The NDIS Commission applies regulation proportionately. In most situations, we work alongside providers to offer guidance, education and assistance to resolve issues.

When NDIS providers or workers don't meet their obligations, the NDIS Commission can investigate and enforce penalties including infringement notices, civil penalties and bans.

What about the NDIA?

The NDIS Commission is independent from the National Disability Insurance Agency (NDIA). The NDIA will continue to:

- assist participants to access the NDIS scheme
- manage planning, payments, and pricing
- detect and investigate allegations of fraud.

The NDIS Commission does not regulate the NDIA. Complaints about the NDIA and participant plans should be made directly to the NDIA.

What does this mean for providers?

Implementing the quality and safeguarding arrangements involves a number of requirements for NDIS providers.

This section gives you an overview of your responsibilities as a provider in the NDIS.

1. Code of Conduct

The NDIS Code of Conduct

The NDIS Code of Conduct sets clear and enforceable expectations for ethical conduct in the delivery of supports and services.

- Respect individual rights and self-determination
- Respect privacy
- Act with integrity, honesty and transparency
- Deliver services safely and competently
- Ensure quality and safety
- Prevent and respond to violence, neglect, abuse, exploitation and sexual misconduct

Your responsibilities

The Code of Conduct applies to all NDIS service providers (registered or unregistered), and workers.

1. Apply the NDIS Code of Conduct

- In the event of a complaint against you or a serious incident occurring, the NDIS Commission will consider your compliance with the Code of Conduct. Applying the Code is an expectation of doing business in the NDIS.

2. Support workers to understand the code

- You must also support all workers to both understand and apply the Code of Conduct in the course of their daily work.

A more detailed version of the NDIS Code of Conduct can be found in the 'NDIS Code of Conduct' leaflet, included in this kit.

[The NDIS Commission has created a free worker orientation module to upskill your workforce in the NDIS Code of Conduct. It is available on the NDIS Commission website.](#)

2. Provider registration

The NDIS Commission is responsible for the registration of NDIS providers. To be registered, you must demonstrate that your organisation meets NDIS Practice Standards in the services and supports you provide.

Your responsibilities

New providers can complete the registration application form (available on the NDIS Commission's website). Renewal is through the NDIS Commission's online portal.

Once your application is submitted, you will need to make arrangements for a quality audit of your organisation. This must be performed by an NDIS Commission approved quality auditor.

More detailed information about registration requirements can be found in the 'Your Introduction to Provider Registration' booklet, included in this kit.

3. Complaint handling

The NDIS Commission is responsible for handling complaints about NDIS providers when the person:

- is unable to resolve issues with their provider or
- does not feel empowered to make a direct complaint.

Where possible, we will work with both parties to facilitate a resolution. If an issue is serious or unable to be resolved through conciliation, the NDIS Commission has the power to investigate and take compliance action.

Your responsibilities

1. Act on complaints raised

- All NDIS providers must promptly take steps to act on complaints they receive that may impact upon quality and safety.
- **For registered providers:** You are required to implement and maintain a system to manage and resolve complaints.
- **For unregistered providers:** Your complaints handling processes must meet the standards covered by the NDIS Code of Conduct.

2. Empower people to speak up: A culture that encourages, values and learns from complaints will help you continuously improve your practice.

More detailed information about registration requirements can be found in the 'Your Guide to Complaint Management' booklet, included in this kit.

4. Reportable incidents

Registered providers must report any of the following incidents (including allegations) to the NDIS Commission:

- Death
- Serious injury
- Abuse or neglect
- Sexual or physical assault
- Sexual misconduct, and
- Unauthorised use of restrictive practices.

When notified of a reportable incident, the NDIS Commission will determine the action required. This may include requiring you to carry out an investigation or take specified action to protect participants.

Your responsibilities

1. Notify the NDIS Commission of all reportable incidents

All registered providers are required to report any of the incidents listed above to the NDIS Commission. This is in addition to notifying any appropriate authorities, such as the police.

2. Implement and maintain an incident management system

Registered providers must have a comprehensive incident management system, proportionate to the size of the organisation and the complexity of the supports you deliver.

More detailed information on reportable incidents (including timeframes) can be found in the 'Your Guide to Incident Management' booklet, included in this kit.

5. Behaviour support arrangements

The NDIS Commission will take a leadership role in reducing and eliminating the use of restrictive practices. Under the NDIS Act and Rules, restrictive practices can only be used as part of a behaviour support plan that has been developed by a registered specialist behaviour support provider.

Your responsibilities

There are comprehensive requirements for providers around behaviour support and restrictive practices.

Detailed information can be found in the 'Your Introduction to Behaviour Support' booklet, included in this kit.

6. Worker screening

Worker screening is a way to check that the people who are working or wish to work with the NDIS don't present an unacceptable risk to people with disability.

It is only one of a range of strategies that you need to put in place to minimise harm to NDIS participants, including promoting a positive workplace culture that does not tolerate abuse, neglect or exploitation.

Your responsibilities

1. Make sure all workers are screened

You must screen all paid and volunteer workers who have more than incidental contact with participants.

2. Identify and record the roles and jobs that need a check

You must assess which roles in your organisation require clearance and maintain records of all workers who engage in these roles.

Detailed information about worker screening arrangements can be found in the 'Your Introduction to Worker Screening' booklet, included in this kit.

What are the benefits for providers?

For providers, the establishment of the NDIS Quality and Safeguards Commission offers:

- Improved consistency in registration across all states and territories to reduce the duplication of requirements for providers
- A focus on capacity building and education (for example, the worker orientation module, 'Quality, Safety and You'), and encourages and rewards continuous improvement in the quality and safety of NDIS services and supports
- The NDIS Code of Conduct, which sets out clear expectations for all NDIS providers – registered and unregistered – and all people employed or otherwise engaged by NDIS providers
- Compliance and enforcement powers to encourage best practice among NDIS providers and to manage risk to NDIS participants
- Worker screening arrangements and database ensures a national portable check for all NDIS workers.

Most importantly, the transparency offered by the Quality and Safeguarding Framework process empowers participants to select safe, high-quality NDIS providers to help them achieve their goals.

What are my organisation's obligations?

Your obligations under the NDIS Commission will vary depending on the size of your organisation, the scope of the services you provide, and the risks involved. The below provides a quick reference summary of provider obligations.

Unregistered providers

- NDIS Code of Conduct
- Complaints process
- Optional worker screening

Registered providers (lower risk services)

- NDIS Code of Conduct
- Complaints process
- Mandatory worker screening
- Reportable incident requirements
- Restrictive practice reporting (if applicable)
- Practice Standards verification

Registered providers (higher risk services)

- NDIS Code of Conduct
- Complaints process
- Mandatory worker screening
- Reportable incident requirements
- Restrictive practice reporting (if applicable)
- Practice Standards certification

We are here to help

The NDIS Commission can provide information, resources and support to help you understand your obligations.

For help, contact our specialist provider team on **1800 035 544**.



NDIS Quality
and Safeguards
Commission

Your guide to the NDIS Code of Conduct

The NDIS Code of Conduct sets clear and enforceable expectations for ethical conduct in the delivery of supports and services.

The NDIS Code of Conduct applies to all NDIS providers, registered and unregistered, and all persons employed or otherwise engaged by an NDIS provider.

In providing supports or services to people with disability, a person covered by the NDIS Code of Conduct must:

- Act with respect for individual rights to freedom of expression, self-determination and decision-making in accordance with relevant laws and conventions
- Respect the privacy of people with disability
- Provide supports and services in a safe and competent manner with care and skill
- Act with integrity, honesty and transparency
- Promptly take steps to raise and act on concerns about matters that might have an impact on the quality and safety of supports provided to people with disability
- Take all reasonable steps to prevent and respond to all forms of violence, exploitation, neglect and abuse of people with disability
- Take all reasonable steps to prevent and respond to sexual misconduct.

Anyone can raise a complaint about potential breaches of the NDIS Code of Conduct, including providers who are concerned about the services of another provider.

The NDIS Quality and Safeguards Commissioner is able to take a range of actions against breaches, including education, compliance and enforcement action, or prohibiting providers from operating in the NDIS market.

[The full code can be found in 'The NDIS \(Code of Conduct\) Rules 2018 \[F2018L00629\]', which is available through the 'Legislation, rules and policies' page of the NDIS Commission website.](#)

Contact us: For more information visit [ndiscommission.gov.au](https://www.ndiscommission.gov.au)



Your introduction to the NDIS Practice Standards

Who is this document for?

- Existing NDIS providers
- New providers applying for registration with the NDIS Commission.

After reading this document, you will understand:

- what the NDIS Practice Standards are
- how the NDIS Practice Standards relate to the registration process
- how to find out which Practice Standards apply to your organisation.

What are the NDIS Practice Standards?

The NDIS Practice Standards are a series of requirements that set out the standard of service you must deliver to become and remain registered as an NDIS provider. The NDIS Practice Standards create an important benchmark for providers to assess performance and to demonstrate that you provide high-quality and safe supports and services for NDIS participants.

Each NDIS Practice Standard is built from a high-level participant outcome, supported by quality indicators. For example:

Practice standard: Individual values and beliefs

Outcome: Each participant accesses supports that respect their culture, diversity, values and beliefs. To achieve this outcome, the following indicators should be demonstrated:

- At the direction of the participant, the culture, diversity, values and beliefs of that participant are identified and sensitively responded to
- Each participant's right to practise their culture, values and beliefs while accessing supports is supported.

As part of the registration process, your approved quality auditor will use these quality indicators to assess your compliance with each Practice Standard that is relevant to your organisation. They will talk with participants about their experience with your services

Which Practice Standards will my organisation need to meet?

To help providers easily understand which Practice Standards you must satisfy to complete your registration, the NDIS Quality and Safeguards Commission (NDIS Commission) has grouped them into modules. The modules that your organisation will need to satisfy depend on the complexity of the supports you deliver.

Verification

Who? NDIS providers who deliver lower risk/lower complexity supports and services

Verification module

Supported by Verification Guidelines

Practice Standards:

- Complaints management
- Incident management
- Risk management
- Human resource management.

Certification

Who? NDIS providers engaged in more complex, higher-risk supports and services.

Core module

All providers must complete except providers who are only registered for Specialist Disability Accommodation

Practice Standards:

- Rights and responsibility for participants
- Governance and operational management
- The provision of supports
- The support provision environment.

Supplementary module(s)

Apply where relevant

Practice Standards:

- High-intensity daily personal activities
- Specialist behaviour support
- Early childhood supports
- Specialised support co-ordination
- Specialist disability accommodation

[The 'NDIS Practice Standards and Quality Indicators' document is available on the NDIS Commission website.](#)

[Additionally, a full list of evidence required by profession/registration group is detailed in the 'Verification Module – Required Documentation', which is also available on the website.](#)

What standard of evidence is required?

To demonstrate that your organisation satisfies the NDIS Practice Standards, you will need to present supporting documentation as part of your quality audit. The amount of evidence you must provide will be proportionate. This means that a smaller provider providing less complex supports is not expected to present the same level of evidence and documentation as a larger corporate provider. Participants will also be asked about their experience with you.

Details on registration requirements, including the type of registration your organisation will require, is included in the 'Your Introduction to Provider Registration' booklet, included in this pack.

We are here to help

If you have any questions about the NDIS Practice Standards, please contact the registration team through the Contact Centre on **1800 035 544**.



Your introduction to behaviour support

Who is this document for?

- Specialist behaviour support providers and practitioners
- NDIS providers who implement restrictive practices as part of their service delivery (implementing providers).

After reading this document, you will understand:

- the rules that apply to the use of restrictive practices
- how these affect your organization
- where to find more information.

Behaviour support under the NDIS Commission

Providers delivering behaviour supports must be registered. The NDIS Quality and Safeguards Commission (NDIS Commission) sets out behaviour support requirements for NDIS providers. These behavior support requirements are a condition of registration and have been developed to safeguard the quality of life of people with disability who require specialist behaviour support.

This document provides an overview of these obligations for NDIS practitioners who implement restrictive practices as part of a behaviour support plan (**implementing providers**) and for the behaviour support practitioners who develop these plans (**specialist behaviour support practitioners/ providers**).

What does this mean for providers?

Behaviour support under the NDIS Commission places a clear focus on person-centred interventions, with the aim of reducing and eliminating the use of restrictive practices.

Reporting requirements give the NDIS Commission national oversight of the use of restrictive practices. This will allow the Commission to identify trends and target capacity and skill-building programs that protect the safety of NDIS participants more effectively. An overview of the obligations for different providers under the NDIS Commission's behaviour support framework is provided on the next page.

Overview of behaviour support in the NDIS

Obligation 1

Funding in the NDIS plan for behaviour support

- Identify behaviour support needs for new NDIS plans
- Update existing NDIS plans where behaviour support requirements are later identified.

Who? The NDIA

Obligation 2

Behaviour support plan development

- Register and meet behaviour support practice standards
- Create person-centred interim and comprehensive behaviour support plans
- Lodge all plans that include restrictive practices with the NDIS Commission
- Behaviour support practitioners to meet the Positive Behaviour Support (PBS) Capability Framework, which outlines the knowledge and skills required
- Engage practitioners (contractors or employees) considered suitable by the NDIS Commission.

Who? Specialist behaviour support providers and practitioners

Obligation 3

Implementation and support

- Obtain authorisation for the use of the restrictive practices from the state/territory, when required
- Use regulated restrictive practices only as per behaviour support plan
- Ensure all staff are trained in the support strategies outlined in the behavior support plan.

Who? Implementing providers

Obligation 4

Monitoring and reporting

- Monthly reporting to NDIS Commission of all restrictive practices used
- Report any unauthorised use of restrictive practices to the NDIS Commission as reportable incidents.

Who? Implementing providers

Obligation 5

Behaviour support evaluation and review

- Conduct plan reviews annually, or more often if the person's circumstances change
- Evaluate behaviour support plan effectiveness
- Develop fade-out strategies for the use of the restrictive practice.

Who? Specialist behaviour support providers and practitioners

What is a behaviour support plan?

An NDIS behaviour support plan is a document developed for a person with disability by an NDIS behaviour support practitioner. A behaviour support plan specifies a range of person-centred, proactive strategies that focus on the individual needs of a person, in order to:

- build on the person's strengths
- increase their opportunities to participate in community activities, and
- increase their life skills.

It also includes any regulated restrictive practices that may be required.

A behaviour support plan is developed in consultation with the participant, their family, carers, guardian, and other relevant people, as well as the service providers who will be implementing the plan.

All behaviour support plans that contain restrictive practices **must be lodged** with the NDIS Commission.

If the behaviour support plan does not include any regulated restrictive practices, the NDIS Commission does not need to be notified. However, the practitioner developing the plan still needs to be registered as a specialist behaviour support practitioner.

What are restrictive practices?

A restrictive practice is any practice or intervention that has the effect of restricting the rights or freedom of movement of a person with disability.

It is now recognised that restrictive practices can have profoundly negative effects on a person's quality of life and can represent serious human rights infringements.

The NDIS Commission Behaviour Support Rules define **five types** of regulated restrictive practices, listed below:

Seclusion

- The sole confinement of a person with disability in a room or a physical space.

Chemical restraint

- The use of medication or chemical substance for the primary purpose of influencing a person's behaviour.

Mechanical restraint

- The use of a device to prevent, restrict or subdue a person's movement for the primary purpose of influencing a person's behaviour.

Physical restraint

- The use or action of physical force to prevent, restrict or subdue movement of a person's body, or part of their body, for the primary purpose of influencing their behaviour. Physical restraint does not include the use of a hands-on technique in a reflexive way to guide or redirect a person away from potential harm/injury.

Environmental restraint

- Restricting a person's free access to all parts of their environment, including items or activities.

What does this mean for specialist behaviour support providers?

Specialist behaviour support providers must be registered and have certain obligations when delivering behaviour support under the NDIS Commission.

Your obligations

- Use only behaviour support practitioners considered suitable by the NDIS Commission to deliver these services. Suitability will be determined by assessment against the PBS Capability Framework.
- Meet plan development timeframes – 1 month interim plan, 6 months comprehensive plan, review plan at least every 12 months
- Develop plans that meet NDIS Commission requirements
 - Developed in consultation with the person with a disability, their support network and implementing provider
 - Based on a behaviour support assessment including a functional behavioural assessment (comprehensive plans only)
 - Contain contemporary evidence-based behavioural strategies, including environmental adjustments to constructively reduce behaviours of concern
 - Be aimed at reducing and eliminating restrictive practices
 - Be developed in a form approved by the Commissioner and lodged with the NDIS Commission

[For more detailed information about restrictive practices, see 'The NDIS Quality and Safeguards Commission \(Restrictive Practices and Behaviour Support\) Rules 2018', available through the 'Legislation, rules and policies' page of the NDIS Commission website.](#)

Can restrictive practices still be used when needed?

Sometimes, using one or more regulated restrictive practices might be the only way to keep an NDIS participant and/or others safe.

Regulated restrictive practices can be used if they:

- reduce the risk of harm to the self or others
- are clearly identified in a behaviour support plan
- are authorised by the state/territory, when required
- are used as a last resort
- are the least restrictive response available
- are proportionate to the potential harm to self or others

- are used for the shortest possible time
- are implemented only by registered NDIS providers.

Regulated restrictive practices can also be used if the NDIS participant is being given opportunities to develop new skills that have the potential to meet the need for a restrictive practice.

Any unauthorised use of a restrictive practice is a reportable incident. The NDIS Commission must be notified in line with reportable incident requirements.

Transition arrangements

In the short term, behaviour support practitioners will be considered ‘provisionally suitable’ through nomination by transitioning providers. The NDIS Commission will contact you when more information about the new national capability framework becomes available.

[More detailed information for behaviour support practitioners can be found in the ‘Resources’ section of the NDIS Commission website, including video and transcripts of behaviour support practitioner workshops in your state/territory.](#)

What does this mean for implementing providers?

An implementing provider is any NDIS provider that uses a regulated restrictive practice when delivering NDIS supports to a participant. For example, support workers restricting a participant’s free access to the community due to behaviours of concern are implementing a regulated restrictive practice.

Additionally, a support worker who gives a participant medication to manage their behaviour is using a restrictive practice and is therefore an implementing provider.

Implementing providers have certain obligations if they use regulated restrictive practices.

Your obligations

- Register with the NDIS Commission for the type of support you are providing
- Engage a specialist behaviour support practitioner, qualified to carry out behaviour support assessments and develop behaviour support plans
- Submit monthly reports to the NDIS Commission on the use of restrictive practices
- Ensure staff are appropriately trained to implement positive behaviour strategies and use restrictive practices

- Notify the NDIS Commission in the event of any unplanned or unapproved use of a restrictive practice through the reportable incident process
- Help your staff, NDIS participants, their families, and other decision-makers to understand the NDIS Commission's behaviour support function.

Transition arrangements

During the transition to the NDIS Commission, you must notify the NDIS Commission of existing or pending behaviour support plans.

[Details of how to notify the NDIS Commission of existing behaviour support plans can be found in the 'Behaviour support' section of the NDIS Commission website.](#)

[An in-depth description of your obligations as an implementing provider can be found in the 'Resources' section of the NDIS Commission website, including video and transcripts of behaviour support workshops.](#)

We are here to help

If you have any questions about restrictive practices, behaviour support, or complying with the Rules, please contact the Behaviour Support Team through the Contact Centre on **1800 035 544** or email [**behavioursupport@ndiscommission.gov.au**](mailto:behavioursupport@ndiscommission.gov.au)



NDIS Quality
and Safeguards
Commission

Your introduction to the Positive Behaviour Support Capability Framework

Who is this document for?

Behaviour support practitioners who:

- have their own business or
- work for a registered specialist behaviour support provider.

After reading this document, you will understand:

- the NDIS Positive Behaviour Support (PBS) Capability Framework
- people's roles and responsibilities within the PBS Capability Framework
- where to find more information

What is positive behaviour support?

Positive behaviour support involves making changes to a person's environment and building a person's skills to:

- improve the quality of their life and the environment in which they live
- reduce the likelihood of behaviours of concern or challenging behaviours
- reduce and eliminate the need for restrictive practices.

Behaviour support under the NDIS Commission

Providers who specialise in positive behaviour support must be registered with the NDIS Quality and Safeguards Commission (NDIS Commission) to ensure people with disability receive quality services.

Behaviour support practitioners need to be considered suitable by the NDIS Commission to deliver specialist positive behaviour support under the NDIS.

An NDIS behaviour support practitioner can:

- undertake behaviour support assessments (including functional behaviour assessments)
- develop behaviour support plans.

Information about provider registration can be found in the ‘Your introduction to provider registration’ booklet in this kit.

What is the PBS Capability Framework?

The PBS Capability Framework lists the guidelines for providing positive behaviour support services under the NDIS.

The aims of the PBS Capability Framework are to:

- improve people’s wellbeing and quality of life
- reduce people’s behaviours of concern
- reduce and eliminate restrictive practices
- help practitioners understand the best ways to provide positive behaviour support
- increase the number of skilled and capable practitioners working in the sector.

The PBS Capability Framework is based on the NDIS Act 2013 (Cth). This Act supports the United Nations (2006) Convention on the Rights of Persons with Disabilities.

All registered providers and behaviour support practitioners must understand and work within these laws.

Who developed the PBS Capability Framework?

The PBS Capability Framework was developed with help from:

- people with disability and their supporters
- positive behaviour support experts across Australia
- representatives from providers, allied health professionals and government.

[You can find the full version of the PBS Capability Framework on the NDIS Commission website.](#)

Levels of positive behaviour support practitioners

Behaviour support practitioners can operate at four levels in the PBS Capability Framework, depending on their knowledge and skills.

Core practitioner

This is an entry-level practitioner who has a good understanding of positive behaviour support. Core practitioners should be supervised by a higher level practitioner when a restrictive practice is being considered in a plan.

Proficient practitioner

At this level, the practitioner is expected to analyse and evaluate information, including appraising the quality of individual plans. They should also be able to build positive behaviour support skills in their organisation and learn new skills from higher-level practitioners.

Advanced practitioner

An advanced practitioner has advanced skills across all capability domains. They should have a strong understanding of positive behaviour support and be able to make effective decisions in complex situations. They should be able to supervise practitioners at all levels and provide quality leadership in the field.

Specialist practitioner

A specialist practitioner should have proficient skills in positive behaviour support and a demonstrated specialisation in a related field. For example, skills working with a specific population or type of disability. They should be able to supervise other practitioners in their area of expertise while continuing to learn from their peers.

Positive behaviour support in a team

If a participant's support needs are not complex, a single practitioner with the right expertise can develop the positive behaviour support plan and support its implementation.

If a participant's support needs are complex, a team of professionals can work with the person and their support network to develop and implement the plan.

When working as part of a team, it is important for each practitioner to know their own role and responsibilities. It is also important for the team to work together to deliver a high-quality, accountable service.

Positive behaviour support in practice

People with disability who need positive behaviour supports are at the centre of the PBS Capability Framework. Core values and principles of the PBS Capability Framework are reflected in every part of the practice.

Core principles

The core principles of the PBS Capability Framework emphasise the importance of:

- legal and ethical practice
- cultural awareness
- reflective practice
- evidence-based practice
- supported decision-making
- understanding the different factors and life changes that affect behaviours of concern.

Core values

The core values of the PBS Capability Framework include:

- respect for a person's opinion
- protection of human rights
- person-centred approaches
- capacity building and participation
- collaboration and teamwork
- honesty
- recognition of the connections between a person's physical, emotional, spiritual and family wellbeing.

Capability domains

The PBS Capability Framework has seven capability domains, or areas of practice, that reflect core principles and values. Each capability domain is broken into three parts:

1. Practitioner knowledge (for core practitioners and higher-level practitioners)
2. Practitioner skills (for core practitioners and higher-level practitioners)
3. Service provider and implementing provider considerations to ensure plans are effectively actioned of expertise while continuing to learn from their peers.

Capability domains

1. Interim response

A person who has behaviours of concern can sometimes be at risk to themselves and others. An initial response is to develop an interim behaviour support plan that minimises the risk and creates safety for the person and others.

Practitioners must produce an interim behaviour support plan within one month of being engaged, to ensure the person and others are safe.

If the plan includes regulated restrictive practices, a comprehensive behaviour support plan must be written within six months of engagement. These plans must be produced by practitioners assessed as proficient or above.

2. Functional assessment

A functional assessment must be done before a comprehensive behaviour support plan is written. This assessment should provide a good understanding of the person, their support needs and their behaviour.

The assessment must focus on a person's strengths, their likes and dislikes and other important elements of their life. The person must give consent to the assessment and their needs must always be the focus.

If the person's behaviours are complex, a team approach may be required to better understand why the behaviours are happening.

3. Planning

A quality positive behaviour support plan must be person-centred, evidence-based and proactive. It should also aim to improve a person's quality of life and support them to make positive change.

4. Implementation

It is important that the plan is implemented well to meet the person's needs. People who might be involved include family and carers, support workers, teachers or volunteers. Success depends on a team approach where everyone understands the plan and knows how to implement the strategies.

5. Know it works

The plan and its implementation should be measurable and evidence-based. The plan should be checked and updated regularly to ensure the strategies meet the needs of the person.

6. Restrictive practice

A practitioner assessed as being proficient or above can recommend restrictive practices in a person's behaviour support plan. Restrictive practices should be time-limited and only used as a last resort to protect the person and others from harm.

7. Continuing professional development and supervision

All practitioners should receive ongoing supervision to improve knowledge, skills, confidence and professionalism. They should have a continuing development plan for building their capabilities over time.

We are here to help

For more information about behaviour support or the PBS Capability Framework, contact the Behaviour Support team through the NDIS Commission Contact Centre on **1800 035 544** or email: behavioursupport@ndiscommission.gov.au



Your guide to complaints management

Who is this document for?

- All NDIS providers, registered and unregistered.

After reading this document, you will understand:

- the requirements for complaints management under the NDIS Commission
- the role of the NDIS Commission in handling complaints
- the components of an appropriate and effective complaints management system
- where to find more detailed information on handling complaints.

Complaints management under the NDIS Commission

The NDIS Code of Conduct requires that all NDIS providers have a complaints management process.

Registered NDIS providers are required to have a complaints management and resolution system in place under the NDIS Quality and Safeguards Commission (NDIS Commission).

You must also support people with disability to understand how to make a complaint, both directly to you and to the NDIS Commission.

As an NDIS provider, you should be equipped to handle and resolve complaints to meet your responsibilities to deliver safe and high-quality services to people with a disability.

This document describes your complaints management obligations under the NDIS Commission.

Why do complaints matter?

A **complaint** is when someone expresses dissatisfaction with an NDIS support or service. Valuing and learning from complaints can help you identify problems and continuously improve your service to better meet people's needs.

A well-handled complaint shows the participant that you value their opinions and input, and can actually improve the quality of the participant/provider relationship. Maintaining an effective complaints management system will also help you resolve complaints in-house, preventing complaints from being raised with the NDIS Commission unnecessarily.

How does the NDIS Commission handle complaints?

The NDIS Commission is responsible for handling complaints about NDIS providers when the person:

- is unable to resolve issues with their provider, or
- does not feel empowered to make a direct complaint.

The NDIS Commission takes complaints from NDIS participants, their families and friends, workers and any other person who has an issue with the way an NDIS support or service is being delivered.

There are several ways a complaint may be handled, including commencing a resolution process or launching an investigation.

What are my complaint management obligations?

An effective complaints management system is part of the NDIS Practice Standards and is a condition of registration for NDIS providers. Unregistered providers should also have an appropriate way to manage complaints in place to meet the requirements under the NDIS Code of Conduct.

All registered NDIS providers must have a complaints management system that:

1. Places the person with disability at the centre of the complaints process

The person making the complaint, and any person with disability affected by issues raised in a complaint, should be included throughout the process to the extent possible. You must handle complaints based on the principles of procedural fairness and natural justice, and comply with the requirements under the NDIS (Complaints Management and Resolution) Rules 2018.

2. Is proportional

You must have a complaints management system that is appropriate for the size of your organisation. There is flexibility to develop a system that meets your obligations in a way that fits with your business.

3. Is accessible

The process of making and resolving a complaint must be easy and accessible. Any person is able to make a complaint, including anonymously. Your NDIS participants must be aware of and be supported to access your complaints management system. They must be made aware of and be supported to access alternate avenues for complaints, such as the NDIS Commission.

4. Includes worker training

All workers must be aware of, trained in, and comply with the required complaints management procedure. All NDIS providers should have a designated complaints manager. In smaller organisations or sole traders, this person may also have other responsibilities.

5. Supports the person making the complaint

You must provide appropriate support and assistance to any person who wishes to make, or has made, a complaint. This includes support from staff, family or an advocacy service to make a complaint or during the complaints handling process. You must take reasonable steps to ensure that no person is adversely affected because of making a complaint or assisting the NDIS Commission in relation to a complaint.

6. Is well-managed

Complaints should be dealt with directly and quickly at the point of service, unless further investigation is required. All people involved in the complaint must be kept appropriately informed of the complaint's progress and resolution, including any actions taken and what to do if they are not satisfied by the response.

7. Includes full documentation

The complaints management and resolution system must include a clearly documented process to receive and resolve complaints. Simple and accessible documentation about how to make a complaint must also be provided.

8. Is subject to regular review

Your complaints management system must be subject to a regular review of policies and procedures. This should include seeking participant views on accessibility and incorporating feedback across the organisation.

[Additional information about developing an appropriate system for handling complaints is available on the 'Complaints management' page of the NDIS Commission website.](#)

If you do not meet your obligations to implement and maintain a complaint and resolution system, the NDIS Commission has the power to apply sanctions. This could include compliance notices, conditions of registration and, in more serious cases, civil penalties.

What records must be kept?

You must keep and maintain appropriate records of all the complaints you receive. This will enable you to provide information to the NDIS Commissioner or your approved quality auditor when required, and also help you to identify any systemic issues and improve your service delivery. Records must be kept for 7 years from the date the record was made.

Your records must include:

- **information about the complaint**
- **any action taken to remediate or resolve complaints, and**
- **the outcome of any action taken.**

You must manage complaints in a way that respects the privacy and confidentiality rights of people making a complaint and any participants affected by the issues raised.

Learning from complaints

Fostering an organisational culture that values and learns from complaints is vital to improving the quality of your service delivery. It is important that you have systems in place to allow you to reflect on the complaints process and any outcomes. This includes checking in with the person who made the complaint for feedback and their response to any follow up or implementation of actions.

[Detailed information on how to approach and resolve complaints can be found in the 'Effective Complaints Handling Guidelines for NDIS Providers' document, available on the 'Complaints management' page of the NDIS Commission website.](#)

We are here to help

For more information, contact our complaints management team on **1800 035 544**.



Your guide to incident management

Who is this document for?

- All NDIS providers, registered and unregistered.

After reading this document, you will understand:

- the NDIS Commission's requirements for incident management
- the types of incidents that need to be reported
- what these requirements mean for registered and unregistered NDIS providers
- how to notify the NDIS Commission of a reportable incident.

Incident management under the NDIS Commission

The framework for managing and reporting incidents under the NDIS Commission is designed to protect the rights and safety of NDIS participants.

Registered NDIS providers are required to:

- report certain incidents to the NDIS Commission
- have an effective, proportionate incident management system as a condition of registration. This system must set out procedures for identifying, managing and resolving incidents.

This document provides an overview of your incident management obligations under the NDIS Commission.

[For specific information on how these requirements affect incident management and reporting, see the 'Reportable incidents' page of the NDIS Commission website.](#)

What does this mean for registered NDIS providers?

Your organisation must have internal management and reporting arrangements in place that ensure all incidents (not just reportable incidents) are recorded, and that actions are taken to respond to them and prevent such incidents from happening again.

Your incident management system must be:

- **appropriate for your organisation's size and the types of supports or services you deliver**
- **documented**
- **readily accessible to all workers you employ or otherwise engage, and to persons with disability who receive supports or services from your organisation.**

The type of incident management system maintained is likely to differ between providers, depending on their size and the types of supports or services delivered.

The NDIS Commission can provide you with guidance to build your organisation's capacity to prevent and respond to incidents. Failing to maintain an appropriate incident management system could place you in breach of the conditions of registration and penalties may apply.

[Practical information to help you develop and improve your incident management systems can be found in the 'Incident Management System Guidance' document, available on the 'Reportable incidents' page of the NDIS Commission website.](#)

What does this mean for unregistered NDIS providers?

Although unregistered NDIS providers are not subject to the incident management requirements outlined in the NDIS Practice Standards, you must still comply with the NDIS Code of Conduct.

To support this compliance, it's good practice to have an appropriate and effective incident management system in place and to know how to respond to any incident that may occur.

Find out more about meeting the NDIS Code of Conduct in the 'Your Guide to the NDIS Code of Conduct' leaflet, included in this kit.

What types of incidents need to be reported?

All registered providers must report to the NDIS Commission serious incidents (including allegations) that occur in connection with the provision of supports and services, including:

- the death of an NDIS participant
- serious injury of an NDIS participant
- abuse or neglect of an NDIS participant
- unlawful sexual or physical contact with, or assault of, an NDIS participant
- sexual misconduct committed against, or in the presence of, an NDIS participant, including grooming of the NDIS participant for sexual activity
- the unauthorised use of a restrictive practice in relation to an NDIS participant.

When notified of a reportable incident, the NDIS Commission will determine whether action is required, which may include requiring the provider to take remedial action (including securing the immediate safety of participants), carrying out an internal investigation or engaging an expert to conduct an investigation.

Reporting an incident to the NDIS does not replace existing obligations to report suspected crimes to the police and other relevant authorities.

What are the timeframes for reporting incidents?

Most reportable incidents must be:

- notified to the NDIS Commission within 24 hours, and
- followed up with a detailed report about the incident and actions taken in response within 5 business days.

The unauthorised use of restrictive practice must be:

- notified to the NDIS Commission within 5 business days, but
- reported within 24 hours if there is harm to a participant.

A **final report** may also be required within 60 business days of submitting the 5 day report. The NDIS Commission will advise you whether a final report is required.

What types of records should be kept?

Registered providers must keep clear records of incidents. These records must be made available to approved quality auditors as part of the audit process and may be used to contribute to NDIS Commission investigations of incidents.

In all cases, you must provide an assessment of:

- the impact on the NDIS participant
- whether the incident could have been prevented
- how the incident was managed and resolved
- what, if any, changes are required to prevent further similar events occurring
- whether other persons or bodies need to be notified.

How do I notify the NDIS Commission of a reportable incident?

[Information about how to submit a reportable incident is available on the 'Reportable incidents' page of the NDIS Commission's website.](#)

To contact the reportable incidents team, call **1800 035 544**.



NDIS Worker Screening Check: What registered NDIS providers need to know

What is the NDIS Worker Screening Check?

From 1 February 2021, the NDIS Worker Screening Check (Worker Screening Check) replaces the different arrangements operating in each state or territory, setting a minimum national standard that all workers engaged in risk assessed roles must meet. Some states and territories may still have additional requirements in some circumstances, e.g. people working with children may need to undertake additional screening. There are additional obligations or restrictions in relation to NDIS Worker Screening for providers in [Queensland](#).

The Worker Screening Check is an assessment of whether a person who works, or seeks to work, with people with disability poses a risk to them. It will determine whether a person is cleared or excluded from working in certain roles with people with disability.

The Worker Screening Check will be conducted by the Worker Screening Unit (WSU) in the state or territory where a person applies. The WSU also decides whether a person is cleared or excluded.

Registered NDIS providers are required to engage only workers who have been cleared in any role that is a [‘risk assessed role’](#).

Worker screening is only one of a range of strategies that operate together to reduce risk of harm to people with disability. NDIS providers must also implement additional policies, procedures and practices that assist in identifying and minimising risk of harm to people with disability. These include promoting positive organisational cultures that do not tolerate abuse, neglect or exploitation; ensuring quality recruitment, selection and screening; and maintaining a focus on education and training.

When will the Worker Screening Check start?

The Worker Screening Check starts on 1 February 2021, except in the Northern Territory. The Northern Territory will start the Worker Screening Check no later than 1 July 2021.

Before the Worker Screening Check started, registered NDIS providers providing supports and services to NDIS participants were required to ensure their workers in risk assessed roles meet the screening requirements for the state or territory in which the worker is operating. A person has an **acceptable check** when they meet the requirements of the

[transitional and special arrangements](#) that apply to the state or territory where they provide NDIS supports and services to people with disability.

Acceptable checks that were previously issued within each state or territory will continue to be recognised for a period of time after the Worker Screening Check starts. More information about periods of time for recognition of acceptable checks in each state and territory after the start of the Worker Screening Check is available on the NDIS Quality and Safeguards Commission (NDIS Commission) website.

What will the Worker Screening Check do?

The Worker Screening Check is a way to support registered NDIS providers to comply with your obligations when recruiting, selecting and reviewing the ongoing suitability of your workers.

It will:

- be an important tool in your recruitment, selection and screening processes, and assist in the ongoing review of the suitability of workers
- increase self-managed participants' choice and control by giving them the option to ask that the workers who provide them with supports and services obtain a Worker Screening clearance before engaging them
- allow workers with a Worker Screening clearance to work in risk assessed roles with registered NDIS providers in any state or territory across Australia
- assist in improving the quality and safety of NDIS supports to NDIS participants.

How long is the NDIS Worker Screening clearance valid?

Workers with an NDIS Worker Screening clearance are subject to ongoing monitoring against police and other relevant information.

This means their NDIS Worker Screening clearance status can be re-assessed if a WSU or the NDIS Commission receives new or updated information that suggests they pose a risk to people with disability. If this happens, they may be excluded from having an NDIS Worker Screening clearance before their existing NDIS Worker Screening clearance expires.

NDIS Worker Screening clearances expire every five (5) years.

Which workers need to hold a Worker Screening Check?

Workers you employ or otherwise engage to work in a 'risk assessed role' need to hold a Worker Screening Check, if they do not hold a valid acceptable check. An acceptable check is no longer valid if it has expired or been revoked.

You are responsible for identifying the risk assessed roles in your organisation.

Workers who are not in risk assessed roles will not be required to hold an NDIS Worker Screening clearance.

However, you may choose to ask any worker to apply for a Worker Screening Check and obtain an NDIS Worker Screening clearance.

When can workers work in a risk assessed role for a registered NDIS provider?

A worker who holds a Worker Screening Check or a valid acceptable check can start work, or continue work, immediately.

In some states or territories, in certain circumstance local laws may permit a registered NDIS provider to allow a worker to begin working in a risk assessed role after they apply for a Worker Screening Check but before they have been granted a clearance.

If the laws of your state or territory allow you to engage the worker in a risk assessed role after submitting an application, but before an outcome has been issued, you must have appropriate safeguards in place.

What if a worker is excluded through their Worker Screening Check application?

If a worker has received an NDIS Worker Screening exclusion as a result of their Worker Screening Check, you cannot allow that worker to undertake a risk assessed role.

What records do I need to keep?

Registered providers are required to keep [records](#) for each risk assessed role and for workers in risk assessed roles.

What is the NDIS Worker Screening Database?

The NDIS Worker Screening Database (NWSD) is held by the NDIS Commission.

The NWSD:

- holds a register of cleared and excluded workers as determined by each state and territory's WSU
- supports national ongoing monitoring of the criminal history records of workers with NDIS Worker Screening clearances
- means NDIS providers across the country can use a single online portal to verify their workers' Worker Screening Check applications, and review the NDIS Worker Screening clearances of prospective workers, without needing to contact individual state and territory WSUs
- helps NDIS providers with record-keeping requirements.

The NWSD **only** holds information about workers' NDIS Worker Screening clearance status for those workers who have undergone a Worker Screening Check. It will not hold

information about acceptable checks. It will not hold the personal information used by a state or territory WSU to assess a worker's Worker Screening Check outcome.

When will the NWSD go live?

The NWSD will commence operation from 1 February 2021.

How do I get access to the NWSD?

Registered providers will have automatic access to the NWSD through a new tile on the NDIS Commission Portal.

How do I use the NWSD?

Information about how to use the NWSD is available on the [NDIS Commission](#) website.

More information

Worker Screening Units

For information about how to apply for a Worker Screening Check, visit the WSU webpage for your state or territory.

- Australian Capital Territory: [Access Canberra](#)
- New South Wales: [Office of the Children's Guardian](#)
- Northern Territory: [NT Police, Fire and Emergency Services](#)
- Queensland: [Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships](#)
- South Australia: [Department of Human Services](#)
- Tasmania: [Consumer, Building and Occupational Services](#)
- Victoria: [Department of Justice and Community Safety](#)
- Western Australia: [Department of Communities](#)

Legislation

- [NDIS \(Practice Standards - Worker Screening\) Rules 2018](#)
- [National Disability Insurance Scheme Act 2013](#)

NDIS Commission website

- [Glossary](#) of terms used in this fact sheet
- General information about [worker requirements](#).
- Information about the [NDIS Worker Screening Check for registered NDIS providers](#).
- [NDIS Practice Standards and Quality Indicators](#)



NDIS Worker Screening Check: What unregistered NDIS providers need to know

What is the NDIS Worker Screening Check?

From 1 February 2021, the NDIS Worker Screening Check (Worker Screening Check) replaces the different arrangements operating in each state or territory, setting a minimum national standard that all workers engaged in risk assessed roles must meet. Some states and territories may still have additional requirements in some circumstances (e.g. people working with children may need to undertake additional screening).

The Worker Screening Check is an assessment of whether a person who works, or seeks to work, with people with disability poses a risk to them. It will determine whether a person is cleared or excluded from working in certain roles with people with disability. The Worker Screening Check will be conducted by the Worker Screening Unit (WSU) in the state or territory where a person applies. The WSU also decides whether a person is cleared or excluded. Participants who manage part or all of their plan may choose to only use unregistered providers with a clearance, or ask them to get one. You may consider incorporating NDIS Worker Screening Check clearances in your employment policies and practices.

Self-managed participants can also choose to not use the services of an unregistered provider or worker who does not hold an NDIS Worker Screening Check clearance.

When will the Worker Screening Check start?

The Worker Screening Check starts on 1 February 2021, except in the Northern Territory. The Northern Territory will start the Worker Screening Check no later than 1 July 2021.

Do NDIS workers of unregistered providers need to get an NDIS Worker Screening clearance?

Unregistered NDIS providers and self-managed participants can choose to ask workers to apply for a Worker Screening Check and obtain an NDIS Worker Screening clearance, but this is not mandatory.

As an unregistered provider, you must be able to effectively manage complaints about the quality and safety of supports and services being provided. This includes worker screening.

What if a worker's Worker Screening Check application results in an NDIS Worker Screening exclusion?

The objects of the [National Disability Insurance Scheme Act 2013](#) include the requirement to enable people with disability to exercise choice and control in the planning and delivery of their supports.

The NDIS Commission requires all providers to act with integrity, honesty, and transparency; and to take all reasonable steps to prevent and respond to all forms of violence, exploitation, neglect, and abuse of people with disability.

It follows that:

- Workers who receive an NDIS Worker Screening exclusion disclose this outcome to any person or provider to whom they provide supports or services under the NDIS
- NDIS providers will tell self-managed participants if you intend to engage a person with an NDIS Worker Screening exclusion to deliver supports and services to the self-managed participant.

How long is the NDIS Worker Screening clearance valid?

Workers with an NDIS Worker Screening clearance are subject to ongoing monitoring against police and other relevant information.

This means their NDIS Worker Screening clearance status can be re-assessed if a WSU or the NDIS Quality and Safeguards Commission (NDIS Commission) receives new or updated information that suggests they pose a risk to people with disability. If this happens, they may be excluded from having an NDIS Worker Screening clearance before their existing NDIS Worker Screening clearance expires.

NDIS Worker Screening clearances expire every five (5) years.

What is the NDIS Worker Screening Database?

The NDIS Worker Screening Database (NWSD) is held by the NDIS Commission.

The NWSD:

- holds a register of cleared and excluded workers as determined by each state and territory's WSU
- supports national ongoing monitoring of the criminal history records of workers with NDIS Worker Screening clearances
- means NDIS providers across the country can use a single online portal to verify their workers' Worker Screening Check applications, and review the NDIS Worker Screening clearances of prospective workers, without needing to contact individual state and territory WSUs

- helps NDIS providers with record-keeping requirements.

The NWSD **only** holds information about workers' NDIS Worker Screening clearance status for those workers who have undergone a Worker Screening Check. It will not hold information about acceptable checks. It will not hold the personal information used by a state or territory WSU to assess a worker's Worker Screening Check outcome.

When will the NWSD go live?

The NWSD will commence operation from 1 February 2021.

How do I get access to the NWSD?

NDIS providers and individuals, including self-managed participants and unregistered providers, will need to [apply to the NDIS Commission](#) to access information stored on the NWSD. The NDIS Commission will need to confirm you are engaged in delivering NDIS supports and services before giving you access to the NWSD.

Where can I get more information?

Worker Screening Units

For information about how to apply for a Worker Screening Check, visit the WSU webpage for your state or territory.

- Australian Capital Territory: [Access Canberra](#)
- New South Wales: [Office of the Children's Guardian](#)
- Northern Territory: [NT Police, Fire and Emergency Services](#)
- Queensland: [Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships](#)
- South Australia: [Department of Human Services](#)
- Tasmania: [Consumer, Building and Occupational Services](#)
- Victoria: [Department of Justice and Community Safety](#)
- Western Australia: [Department of Communities](#)

Legislation

- [NDIS \(Practice Standards - Worker Screening\) Rules 2018](#)
- [National Disability Insurance Scheme Act 2013](#)

NDIS Commission website

- [Glossary](#) of terms used in this fact sheet
- General information about [worker requirements](#).
- Information about the [NDIS Worker Screening Check for registered NDIS providers](#).
- [NDIS Practice Standards and Quality Indicators](#)



NDIS Quality
and Safeguards
Commission

Your introduction to provider registration

Who is this document for?

- New providers applying for registration with the NDIS Commission
- Existing NDIS providers renewing their registration.

After reading this document, you will understand:

- the requirements of registration
- who needs to register
- the registration process and how it applies to your organization
- where to find more information and assistance.

Registration under the NDIS Commission

The NDIS Quality and Safeguards Commission (NDIS Commission) oversees a single, national registration and regulatory system for providers of NDIS supports and services. This system sets a consistent approach to quality across Australia to ensure that all NDIS participants have access to safe, high-quality supports and services.

This document will provide you with an overview of the requirements of registration and also step you through the process of applying for or renewing your registration with the NDIS Commission.

For further information on the registration process, visit the NDIS Commission website on www.ndiscommission.gov.au.

What are the responsibilities of registered providers?

The NDIS Commission's regulatory framework establishes ongoing obligations for registered NDIS providers.

As a registered NDIS provider, you must:

- comply with the NDIS Practice Standards
- comply with the NDIS Code of Conduct and support workers to meet its requirements
- have an in-house complaints management and resolution system, and support participants to make a complaint
- have an in-house incident management system, and notify the NDIS Commission of reportable incidents
- comply with the worker screening requirements
- meet behaviour support requirements (if applicable), including reporting restrictive practices to the NDIS Commission
- comply with any additional conditions imposed by the NDIS Commission at the time of registration
- notify any changes or events affecting your registration to the NDIS Commission.

All workers of registered NDIS providers must complete the 'Quality, Safety and You' worker orientation e-learning module.

Proportionate requirements

The NDIS Commission will consider a provider's compliance with registration requirements in a proportionate manner.

This means that a smaller provider with fewer workers that provides less complex services is not expected to present the same evidence as a national provider with a large workforce that provides more complex services and supports.

Who needs to register?

Whether you are required to register depends on the types of supports and services that you deliver, as well as how your participants choose to manage their NDIS plans. You must be registered with the NDIS Commission if you provide one or more of the following:

- Services and supports to NDIS participants who have their plan managed by the NDIA
- Specialist disability accommodation
- Complex supports including specialist behaviour support
- Implement restrictive practices as part of the supports and services to NDIS participants.

Do participants need to use registered providers?

NDIS participants who self-manage the supports and services in their plan, have someone else to do it for them (a plan nominee), or use a registered plan manager can access services from unregistered providers.

However, these participants will still need to use a registered provider for those supports that require registration with the NDIS Commission, such as specialist behaviour support.

How much does registration cost?

Submitting an NDIS provider registration application is free. However, you will be responsible for the cost of procuring an audit against the applicable NDIS Practice Standards. The requirements of the audit, including its cost, will be proportionate to your organisation's size and scale, and the complexity of the services and supports you provide.

After submitting your application, you will receive an 'initial scope of audit' document from the NDIS Commission, which summarises the registration requirements that apply to your organisation and describes the form your audit will take.

How do I register with the NDIS Commission?

- 1. Apply:**
Submit your application online.
- 2. Audit:**
Undertake an audit against the NDIS Practice Standards.
- 3. Assessment:**
The NDIS Commission assesses your suitability.
- 4. Outcome:**
The NDIS Commission notifies you of the application outcome.
- 5. Meet registration requirements:**
Comply with the conditions on your certificate of registration.

Detailed information on each step of the registration process is provided on the following pages.

Transition information

If you are an existing provider registered with the NDIA, your registration would have automatically transitioned to the NDIS Commission in all states and territories. You will not have to take any immediate action.

The NDIS Commission will contact you directly to inform you when you need to commence your registration renewal.

Step 1: Apply

[You can apply online through the NDIS Commission's website, or renew through the online portal at \[ndiscommission.gov.au/providers/ndis-commission-portal\]\(https://www.ndiscommission.gov.au/providers/ndis-commission-portal\)](https://www.ndiscommission.gov.au/providers/ndis-commission-portal)

[A detailed Quick Reference Guide to accessing the NDIS Commission Portal is available on the NDIS Commission website.](#)

1. Start your application.
 - **New providers** - complete the new provider application form on the website. You will need to submit details about your organisation.
 - **Renewing providers** - log in to the NDIS Commission Portal using your registration ID and click on the 'my registration' tile.
2. Select and submit the services and supports you are applying to deliver.
3. The form will show which registration requirements (verification or certification) you will need to satisfy. This will be based on the services and supports you are registering to provide (registration groups).

There are two pathways to registration:

- **Verification:**
NDIS providers that deliver lower risk/lower complexity services and supports.
 - **Certification:**
NDIS providers that provide more complex or higher risk supports and services.
4. Complete a self-assessment form against the NDIS Practice Standards that are relevant to your registration pathway (verification or certification). These are the same standards that will be covered in your audit.
 5. Upload the documents to the NDIS Commission website.
 6. Submit your completed application.

Your application form, including self-assessment responses, can be saved at any point. You have up to 60 days to complete the new application form.

[A detailed Quick Reference Guide to registration renewal is available on the NDIS Commission website.](#)

Step 2: Audit

All providers seeking registration will be required to undertake an audit (at either the verification or certification level). You will need to engage an independent approved quality auditor to assess your organisation against the relevant components of the NDIS Practice Standards.

Only auditors that are approved by the NDIS Commission can assess whether an NDIS provider complies with the NDIS Practice Standards.

[A list of approved quality auditors is available on the NDIS Commission website.](#)

7. Receive your 'initial scope of audit' document after submitting your application. This document provides a summary of the Quality Audit requirements that apply to your organisation.
8. Request quotes from an approved quality auditor using the 'initial scope of audit' document and select an auditor.
9. Your approved quality auditor will check the scope and begin their audit. This will either be a 'verification' or 'certification' quality audit. The requirements of each are listed below.

Verification Audit:

What?

A desktop audit, including reviewing documentation. This includes considering relevant qualifications, expertise and experience of workers, and processes/policies for managing complaints, incidents and risks.

Practice Standards:

Verification module

Certification Audit:

What?

Generally, a detailed audit including document reviews, site visits and interviews with workers and participants

Practice Standards:

Core module and supplementary modules depending on the services you provide

10. The approved quality auditor will contact you to explain their findings and answer any questions.

11. The approved quality auditor will submit the outcome of audit to the NDIS Commission.

Detailed information about the NDIS Practice Standards and types of evidence required for verification and certification quality audits can be found in:

- 'Your Guide to NDIS Practice Standards' booklet included in this kit
- ['Provider Application pack – NDIS Practice Standards and Quality Indicators' document, located in the 'Providers' section of the NDIS Commission website](#)
- ['National Disability Insurance Scheme \(Provider Registration and Practice Standards\) Rules 2018'](#)

Step 3: Assessment

The NDIS Commission will take into account the outcomes of the audit, and conduct a suitability assessment of your organisation and its key personnel. The NDIS Commission will contact you if further information is required.

Suitability assessment

The suitability assessment looks at whether the NDIS provider or its key personnel have:

- been previously registered as an NDIS provider
- had a banning order in place
- been convicted of an offence
- been insolvent under administration
- had adverse findings or enforcement action taken by various authorities
- had findings or judgment against them for fraud, misrepresentation or dishonesty
- been disqualified from managing corporations.

Step 4: Outcome

There are two possible outcomes for your registration application.

Successful application

After a successful application, you will receive a certificate of registration that will outline:

- the classes of supports or services you are registered to provide
- the period of registration
- any conditions you must follow to keep your registration.

Unsuccessful application

If your application is unsuccessful, you will be given the reasons for this decision. You can request a review within three months of the decision. If, following review, your application is still unsuccessful, you may seek a review by the Administrative Appeals Tribunal.

Step 5: Meet registration requirements

After your application is approved, you must continue to comply with all conditions of registration, including the NDIS Practice Standards and NDIS Code of Conduct.

Monitoring

The NDIS Commission will monitor your organisation for compliance with the conditions of registration, and has the power to suspend, vary or revoke registration. The timing of quality audits will be included on your Certificate of Registration.

Worker training

You must ensure your employees complete a compulsory worker orientation module that will cover human rights, respect and risk, and the roles and responsibilities of NDIS workers. This module is available on the NDIS Commission website.

Provider Register

The details of your registration will be published on the NDIS Commission's Provider Register. This register will also record any relevant compliance action taken in relation to your organisation, if this occurs.

How long will registration take?

The length and specific requirements of the registration process will be proportionate to the size and scale of your organisation, as well as the complexity and range of supports and services you deliver.

We are here to help

The NDIS Commission will monitor your progress and provide information, resources and support to help you understand your registration obligations and complete your registration or renewal. For help with your registration, contact our specialist registration team on **1800 035 544**.

[A detailed application pack is available on the 'Provider registration' page of the NDIS Commission website.](#)



Registration renewal fact sheet

Who is this document for?

- Existing NDIS providers in Western Australia that transitioned to the NDIS Commission on 1 December 2020
- Existing NDIS providers with operations in multiple states/territories.

After reading this document, you will understand:

- when your organisation's registration will transfer to the NDIS Commission
- how the NDIS Commission determines registration renewal dates
- how the transition to the NDIS Commission will affect the registration renewal process for your organisation.

Registration renewal in the NDIS Commission

The NDIS Quality and Safeguards Commission (NDIS Commission) establishes a national registration system for NDIS providers. The commencement dates for this registration system have been staged across Australian states and territories (jurisdictions).

NDIS Commission commencement dates

New South Wales, South Australia:

1 July, 2018

Queensland, Victoria, Tasmania, Australian Capital Territory, Northern Territory:

1 July, 2019

Western Australia:

1 December, 2020

The NDIS Commission is now active in all jurisdictions across Australia. NDIS providers are now able to undertake a single registration process with the NDIS Commission to obtain a single registration to deliver NDIS services and supports nationally.

In the short term, this creates a number of different scenarios for providers.

This document contains some scenarios to help you understand the short-term registration requirements that are relevant to your organisation.

Information for providers registering with the NDIS Commission for the first time in 2020

On 1 December 2020, the existing registration of providers operating in Western Australia automatically transferred to the NDIS Commission. Your organisation will be issued with a certificate of registration, which includes the date your registration with the NDIS Commission is due for renewal.

To reduce any risks for NDIS participants, renewal dates for different providers will follow a phased approach, with more complex services (registration groups) requiring earlier renewal.

Depending on your registration groups, your renewal date will fall between 4 and 12 months from the date of your transition to the NDIS Commission.

Providers that are **not registered** with the National Disability Insurance Agency (NDIA) in Western Australia must apply to become a registered provider with the NDIS Commission. Information on new provider registration process is on the [NDIS Commission](#) website.

Scenario for new NDIS Commission registrations

1. I'm registered with the NDIA in Western Australia only (e.g. registered in Western Australia for household tasks).

Your registration renewal date will be included on the certificate of registration provided by the NDIS Commission. This date will vary between 4 and 12 months depending on the registration groups you currently have (and other discretionary factors). Please note that if you do not commence your renewal with the NDIS Commission before that date, your registration will lapse.

Information for providers with existing NDIS Commission registrations

If you had an existing registration with the NDIS Commission before 1 December 2020, your renewal date will not change.

Registration details from Western Australia automatically attach to your existing NDIS Commission registration record. Any new registration groups or outlets will also attach to your existing record.

You will receive a new certificate of registration from the NDIS Commission detailing any additional registration groups.

As many existing NDIS providers have already commenced their first registration renewal with the NDIS Commission, this creates a number of scenarios depending on the progress of your existing registration renewal.

Scenarios for existing NDIS Commission registrations

- 1. I have not yet commenced my registration renewal with the NDIS Commission (e.g. currently registered for behaviour support in another state or territory and household tasks in Western Australia).**

Registration groups and any additional outlets from Western Australia will be added to your existing NDIS Commission registration. You will then complete a single registration renewal that will include the registration groups covered by both your existing and incoming records. After submitting your renewal application via the NDIS Commission portal, a scope of audit will be generated which allows you to seek quotes from approved quality auditors.

- 2. I have submitted the registration renewal application but not yet completed the audit and...**

- a. I have identical registration groups in Western Australia (e.g. behaviour support in another state or territory and behaviour support in Western Australia).**

You must make sure that your auditors are made aware of the additional outlets in Western Australia that need to be included in the audit. If your audits have already been scheduled, incoming service outlets and NDIS participants can be included in the next mid-term audit.

b. I have lower risk registration groups in Western Australia (e.g. behaviour support in another state or territory and household tasks in Western Australia).

If the registration groups from Western Australia do not change your auditing requirements from verification to certification, then you will not have to make any changes to your existing audit process.

c. I have higher risk registration groups in Western Australia (e.g. household tasks in another state or territory and behaviour support in Western Australia).

If required, the NDIS Commission will extend your registration to allow you to undertake a single registration process and reduce the need for an additional audit. Please contact the NDIS Commission directly for more information.

3. I have completed the registration renewal process (including audit) and...

a. I have identical registration groups in Western Australia (e.g. behaviour support in another state or territory and behaviour support in Western Australia).

You will not need to take any additional registration action. The new registration groups will be added to your existing registration and included in your mid-term audit.

b. I have lower risk registration groups in Western Australia (e.g. behaviour support in another state or territory and household tasks in Western Australia).

You will not need to take any additional registration action. The new registration groups will be added to your existing registration and included in your next annual surveillance audit.

c. I have higher risk registration groups in Western Australia (e.g. household tasks in another state or territory and behaviour support in Western Australia).

The NDIS Commission will identify your organisation early and help you determine if the new registration groups change your audit requirements. Please contact the NDIS Commission directly for more information.

[More information on registration groups and understanding auditing requirements is in the “Application Pack – Registration Requirements by Supports and Services” document, on the Provider registration page of the NDIS Commission website.](#)

We are here to help

If you have any questions about registration with the NDIS Commission, please contact the registration team through the Contact Centre on **1800 035 544**.



NDIS Quality
and Safeguards
Commission

Your guide to legislation, rules and policies

The role of the NDIS Quality and Safeguards Commission is supported by a range of legislation, rules, guidelines and policies. For providers, these documents contain useful information and clarification to help you understand your obligations under the new Quality and Safeguards Framework.

This information sheet provides you with a list of all relevant documentation for your reference.

Legislation

National Disability Insurance Scheme Act 2013

[This piece of legislation establishes the NDIS Quality and Safeguards Commission and sets out our core functions and framework. It can be accessed online through the **Australian Government's legislation portal.**](#)

The NDIS Rules 2018

The NDIS Rules 2018 set out further details of the information provided in this pack.

They are separated by topic, covering:

- [NDIS Code of Conduct \[F2018L00629\]](#)
- [Provider Registration and Practice Standards \[F2020C01088\]](#)
- [Restrictive Practices and Behaviour Support \[F2020C01087\]](#)
- [Specialist Disability Accommodation Conditions \[F2020C00549\]](#)
- [Incident Management and Reportable Incidents \[F2018L00633\]](#)
- [Complaints Management and Resolution \[F2018L00634\]](#)
- [NDIS Provider Definition \[F2018L00628\]](#)
- [Protection and Disclosure of Information \[F2018L00635\]](#)
- [Practice Standards – Worker Screening \[F2020C01138\]](#)
- [Transitional Rules \[F2020C01102\]](#)
- [NDIS Legislation Amendment \(Transitioning Aged Care Providers\) Rules 2020 \[F2020L01512\]](#)

[The NDIS Rules \(2018\) can be accessed through the Australian Government’s legislation portal. A short summary of the rules is available in the ‘Legislation, rules and policies’ page of the NDIS Commission website.](#)

Guidelines

Documentation of the following guidelines can be accessed through the [Australian Government’s legislation portal](#).

For guidance related to the National Disability Insurance Agency (NDIA), visit [ndis.gov.au](https://www.ndis.gov.au)

- [National Disability Insurance Scheme \(NDIS Behaviour Support Practitioner Application\) Guidelines 2020](#)
- [National Disability Insurance Scheme \(Registered NDIS Provider Notice of Changes and Events\) Guidelines 2019](#)
- [National Disability Insurance Scheme \(Procedural Fairness\) Guidelines 2018](#)
- [National Disability Insurance Scheme \(Approved Quality Auditors Scheme\) Guidelines 2018](#)
- [National Disability Insurance Scheme \(Quality Indicators\) Guidelines 2018 \(Notifiable Instrument\)](#)
- [Specialist Disability Accommodation \(SDA\) Design Category Requirements Guidelines](#)

Policies

Infringement notice policy

Available through the [NDIS Commission website](#)

Compliance and Enforcement Policy

Available through the [NDIS Commission website](#)

NDIS Quality and Safeguarding Framework

This policy was prepared by the Disability Reform Council and describes the guiding principles of the NDIS Quality and Safeguards Commission. This policy is available through the [Department of Social Services website](#)

Intergovernmental Agreement on Nationally Consistent Worker Screening for the NDIS

Available through the [Council of Australian Governments website](#)

Procedures for determining breaches of the Australian Public Service Code of Conduct and for determining sanction

[Available through the NDIS Commission website](#)

Contact us

For more information at [ndiscommission.gov.au](https://www.ndiscommission.gov.au)