



**NDIS Quality  
and Safeguards  
Commission**



## CORPORATE PLAN

2020 - 2021

The NDIS Quality and Safeguards Commission is an independent agency established to improve the quality and safety of the NDIS supports and services.

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ISSN 2652-2608 (Online)

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## Statement by the NDIS Quality and Safeguards Commissioner

I am pleased to publish the 2020–21 Corporate Plan for the NDIS Quality and Safeguards Commission (NDIS Commission), prepared in accordance with PGPA Act requirements. It defines our purpose, and serves as our public planning document for a four year period through to 2023–24.

In 2019–20, the NDIS Commission operated in every jurisdiction except for Western Australia. As Western Australia will transition to us on 1 December 2020, this Corporate Plan is prepared in the context of the NDIS Commission becoming a fully national body. This is a major development, as it will allow us to protect the wellbeing of every Australian who receives supports and services under the NDIS.

The Corporate Plan is also prepared in the context of other major developments which have had and will have an impact on our work. Key among these is the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, which is taking place at the time of issue of this plan, and will continue into our forward planning period. The NDIS Commission is committed to supporting its work and to responding effectively to any government decisions regarding its recommendations.

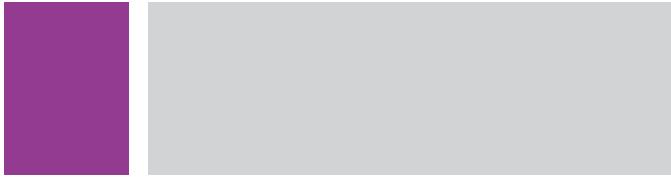
In addition, this Corporate Plan is prepared in the context of the COVID-19 pandemic, which has had a significant impact on Australian society, and the disability support sector has faced challenges as a result. The NDIS Commission, along with the broader public service, has responded to this by altering our operations as needed, working as part of the broader government response, and issuing extensive guidance to NDIS providers and workers. We will continue to do so for the duration of the pandemic.

During the forward planning period, in addition to moving to fully national operations, our organisation will continue to mature and develop as we progressively embed the new national regulatory system we are delivering. We remain committed to working with people with disability, as well as their families, carers and, advocates, to empower them to take action and speak out about poor quality supports. Similarly, we will work with our partner agencies, (such as the Department of Social Services and the National Disability Insurance Agency), disability support providers, advocacy bodies, and with all other relevant parties to ensure our nationally consistent system delivers safe and high quality NDIS supports and services.

I welcome your feedback on this Corporate Plan, and encourage you to forward comments or suggestions to [engagement@ndiscommission.gov.au](mailto:engagement@ndiscommission.gov.au).

A handwritten signature in black ink that reads "Graeme Head".

**Graeme Head AO**  
NDIS Quality and Safeguards Commissioner  
31 August 2020



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# Introduction and purpose

## Statement of preparation

I, Graeme Head, as the accountable authority of the NDIS Quality and Safeguards Commission, present the 2020–21 Corporate Plan, which covers the next four annual reporting periods from 2020–21 through 2023–24, as required under section 35(1)(b) of the Public Governance, Performance and Accountability Act 2013.



**Graeme Head AO**

NDIS Quality and Safeguards Commissioner

Dated: 31 August 2020

## Introduction

The NDIS Quality and Safeguards Commission (NDIS Commission) was established through amendments to the National Disability Insurance Scheme Act 2013 (NDIS Act). We have been in operation since 1 July 2018. Our principal goals are to:

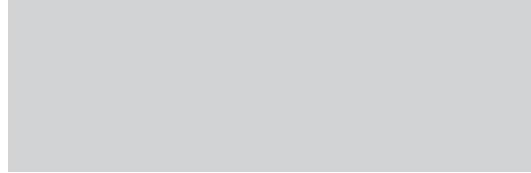
- improve the quality and safety of NDIS supports and services investigate and resolve issues related to quality and safety
- strengthen the skills and knowledge of NDIS providers and worker
- support NDIS participants across Australia to have a stronger voice.

This Corporate Plan (Plan) is the primary published planning document for the NDIS Commission. It describes our purpose, operating context, key activities, and performance measures for the next four reporting periods.

## Our purpose

Our purpose is to work with people with disability, providers and the community to deliver nationally consistent, responsive and effective regulation of providers. We promote the provision of safe and quality supports and services to people with disability under the NDIS. We will approach our responsibilities in a consultative and inclusive way. We are guided by the underpinning principles in the NDIS Act.

Positively influence the disability support system through effective quality and safeguarding activities.



## Our strategic goals

Our strategic goals for the 2020–21 year are to:

- positively influence the disability support system through effective quality and safeguarding activities, including but not limited to:
  - management of complaints and reportable incidents
  - oversight of and leadership in behaviour support
  - registration of NDIS service providers
  - taking appropriate compliance and enforcement action where providers are not meeting their obligations.
- finalise transition activities and continue to mature and grow our capability for full operation in all jurisdictions and across the spectrum of regulatory activities
- continue to refine and develop our business and operating models to continue to provide efficient, evidence-based, consistent regulation with the NDIS Commission focused on key priorities
- respond effectively to the specific challenges for NDIS participants and providers presented by the global COVID-19 pandemic
- work with stakeholders, including grant recipients and other partners, to positively impact the quality and safety of disability supports.



## Our regulatory framework and model

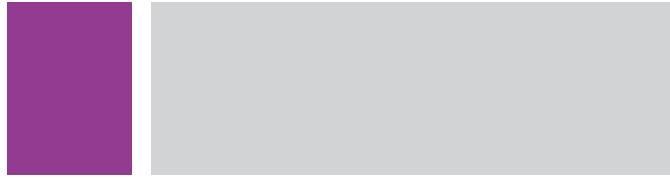
Our regulatory model is a product of the NDIS Quality and Safeguarding Framework (Framework) which was developed over a three-year period following extensive stakeholder consultation, and agreed by all states and territories, setting out a new nationally consistent approach to regulation for the NDIS.

We regulate the quality and safety of NDIS services and supports. Our activities in this regard include upholding the rights, health and safety of people with disability; development of a nationally consistent approach to managing quality and safeguards; registration of providers; education activities and provision of information; complaints management, including investigation, management, conciliation and resolution of complaints; receiving reports of reportable incidents and actioning them as appropriate; behaviour support oversight; compliance and enforcement including investigations; market oversight; and NDIS worker screening.

We also monitor individuals engaged in the provision of NDIS supports and services for compliance with the NDIS Code of Conduct.

The NDIS Act has a number of civil penalty provisions and criminal offences. For breaches of civil penalty provisions the Commissioner has broad powers, including seeking a civil penalty, giving an infringement notice, or applying for an injunction. Investigations of criminal offences can result in briefs being referred to the Commonwealth Director of Public Prosecutions. The NDIS Quality and Safeguards Commissioner can also make banning orders, precluding individuals and providers from being involved in the provision of disability supports and services. The range of powers available through the regulatory model mean that action taken against a provider or individual are proportionate and in line with community expectations.





## Our regulatory priorities

Our regulatory priorities, at the time of issue of this Plan, are:

- *deploying compliance tools*: moving to full use of the array of regulatory tools available to the NDIS Commission
- *incident management and reporting*: monitoring providers' compliance with obligations to prevent, manage, and report serious incidents
- *suitability*: using the registration process to ensure that all registered providers meet suitability criteria and that the findings of provider audits against the NDIS Practice Standards are driving continuous improvement
- *regulatory intelligence*: targeting action on providers that have been the subject of adverse findings, such as fraud, including using trends in complaints and reportable incidents, or enforcement action by other authorities to inform compliance and monitoring activities
- *education*: educating and informing participants, providers and others about their respective rights and responsibilities under the NDIS Act and associated Rules
- *COVID-19 preparedness and response*: monitoring providers' compliance with obligations to manage risk, ensure continuity of supports, and mitigate impacts on the health and wellbeing of NDIS participants as a result of the COVID-19 pandemic.

We update our priorities from time to time, and these priorities do not limit or constrain our regulatory activities.

## Our vision

Our vision is for people with disability to receive quality and safe supports and services under the NDIS.



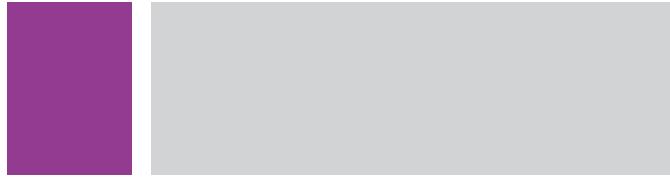
## Our functions

The NDIS Quality and Safeguards Commissioner has core functions set out in section 181E of the NDIS Act:

- upholding the rights of, and promoting the health, safety and wellbeing of people with disability receiving supports or services, including those received under the NDIS
- developing a nationally consistent approach to managing quality and safeguards for people with disability receiving supports or services, including those received under the NDIS
- promoting the provision of advice, information, education, and training to NDIS providers and people with disability
- securing compliance with the NDIS Act through effective compliance and enforcement arrangements
- promoting continuous improvement amongst NDIS providers and the delivery of progressively higher standards of supports and services to people with disability
- developing and overseeing the broad policy design for a nationally consistent framework relating to the screening of workers involved in the provision of supports and services to people with disability
- providing advice or recommendations to the NDIA or the NDIA Board in relation to the performance of the NDIA's functions
- engaging in, promoting, and coordinating the sharing of information to achieve the objectives of the NDIS Act
- providing NDIS market oversight, including by:
  - monitoring changes in the NDIS market which may indicate emerging risk
  - monitoring and mitigating the risks of unplanned service withdrawal.

In addition, the NDIS Quality and Safeguards Commissioner has the following functions set out in the NDIS Act:

- registration and reportable incidents
- complaints
- behaviour support.



## How we work

We work in a manner consistent with the values of the broader Australian Public Service:

- *Impartial*: The NDIS Commission, like the APS, is apolitical and provides the Government with advice that is frank, honest, timely, and based on the best available evidence.
- *Committed to service*: The NDIS Commission, like the APS, is professional, objective, innovative, and efficient, and works collaboratively to achieve the best results for the Australian community and the Government.
- *Accountable*: The NDIS Commission, like the APS, is open and accountable to the Australian community under the law and within the framework of Ministerial responsibility.
- *Respectful*: The NDIS Commission, like the APS, respects all people, including their rights and their heritage.
- *Ethical*: The NDIS Commission, like the APS, demonstrates leadership, is trustworthy, and acts with integrity in all that it does.

In addition, we commit to:

- consult and cooperate with stakeholders on the performance of our functions
- give people with disability every opportunity to participate in discussions that relate to them and take into consideration their wishes and views about those matters
- conduct compliance and enforcement activities in a risk responsive and proportionate manner
- promote the development of a diverse, high-quality and sustainable NDIS market.



We ensure that protection of the rights of people with disability remain at the forefront of disability support activities.

## Key activities

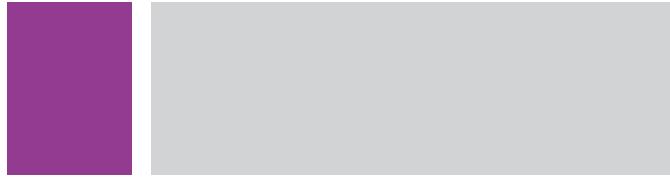
### Principal near-term and medium-term activities

In the first year covered by this Plan, our priority activities will include:

- commencing operation in Western Australia from 1 December 2020
- managing the transition of providers supporting NDIS participants in residential aged care to the safeguarding arrangements overseen by the NDIS Commission from 1 December 2020
- completing the overall transition to full operation across Australia with the commencement of the NDIS Commission's jurisdiction in Western Australia on 1 December 2020
- taking targeted compliance action
- continuing to develop the NDIS Commission to ensure we have the skills, systems and capabilities to deliver our functions as we move to full operation across Australia
- completing key actions in response to Professor Julian Trollor's review titled *A scoping review of causes and contributors to deaths of people with disability in Australia*
- maximising our information management capabilities, including completing information-sharing arrangements with states and territories as well as key Commonwealth entities
- ensuring that all regulated restrictive practices are documented in behaviour support plans by registered behaviour support practitioners
- working with the Department of Social Services (DSS) and the states and territories to finalise implementation of nationally consistent NDIS worker screening.

Across the four years covered by this Plan, our priority activities will include:

- moving beyond completion of transition to ensure mature full-scale operation for the NDIS Commission, with business processes supporting all aspects of our function
- development of our data and analytics capability so that predictive analytics play an increasing role in shaping regulatory activity and to ensure that NDIS Commission reporting is shedding light on progress in addressing problems and highlighting matters that require attention
- achieving national consistency in authorisation processes for the use of restrictive practices continuing implementation of a comprehensive operating model for the NDIS Commission, to ensure an efficient and consistent approach to our work
- supporting the work of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability and responding to any decisions of Government in relation to its recommendations
- taking regulatory actions in response to priority issues (systemic and individual) that are proportionate, thereby increasing the impact of these actions on the behaviour of all providers
- continue to educate the widest possible audience about the rights of people with disability and the centrality of these rights to our approach to safeguarding.



## Enduring activities

Our principal ongoing activities are carried out to fulfil our functions, as listed above. The activities include:

- Registration of providers, who must be registered to deliver supports and services to participants whose plans are managed by the NDIA, or to deliver certain support types to any participant. As part of the registration activity, we assess the suitability of applicants, taking into account their third-party audit outcomes and their application. We also monitor the compliance of providers with their obligations
- Overseeing unregistered providers, through application of the NDIS Code of Conduct, supporting participants in making complaints about unregistered providers, and taking action where a complaint raises a compliance issue.
- Implementing behaviour support strategies and restrictive practices, including maintaining the Positive Behaviour Support Capability Framework, ensuring the quality of behaviour support plans, assessing the skills and experience of practitioners, providing best practice advice, reviewing reports on use of restrictive practices, responding to unauthorised use of restrictive practices, and reporting on restrictive practice use.
- Managing complaints, including responding to complaints, supporting their resolution, referring matters to other relevant authorities when appropriate, reviewing and sharing complaints data to identify systemic issues, using conciliation and other alternative dispute resolution approaches to rebuild relationships, and reporting on overall complaints and resolution data.
- Managing reportable incidents, including receiving and reviewing notifications of reportable incidents, taking further actions as appropriate including referring matters to other relevant authorities, reviewing and sharing reportable incident data to identify systemic issues, and reporting on overall reportable incident data.
- Undertaking compliance and enforcement, including applying appropriate regulatory responses to non-compliance, determining registered provider compliance, using information-gathering and other powers to investigate apparent non-compliance, and taking protective action in serious cases. We have a comprehensive range of compliance and enforcement powers, tools, and methods which can be applied in these cases.
- Identifying, categorising, assessing, and managing systemic risks to protect people with disability from harm arising from poor-quality or unsafe supports or services. This includes monitoring and analysing intelligence from a range of data sources, and monitoring changes in the NDIS market which may indicate risk.
- Engaging in a variety of communication activities, including publishing guidance materials, delivering education campaigns to build the capability of service providers and behaviour support practitioners, maintaining consultative committees, and delivering engagement and communications campaigns to build the knowledge and awareness of participants, providers, and behaviour support practitioners. Key examples of these activities include provider alerts (including a number focused on COVID-19), newsletters for providers and behaviour support providers, and maintenance of a worker orientation module to assist NDIS workers in complying with the NDIS Code of Conduct

The NDIS creates an environment where people with disability purchase services from a diverse market of providers.

## Operating context

### Operating environment

The NDIS is a profound change in Australian social policy. It supports Australians who are born with or acquire a permanent and significant disability before the age of 65, enabling them to lead a more independent and inclusive life. It fundamentally changes disability funding models, creating an environment where people with disability are purchasers of services from a diverse market of providers under the NDIS. The NDIS is still in the process of rolling out as of the date of this Plan; at full scheme hundreds of thousands of people with disability will receive supports and services from thousands of NDIS providers. The scale of this change makes for a challenging environment, as the market of NDIS providers grows and adapts to the new model.

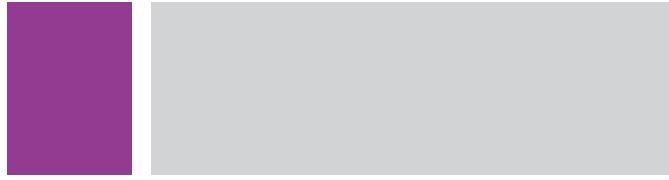
Further, safeguarding arrangements for disability supports and services are transitioning from state-based regulatory bodies to the NDIS Commission. This change adds to the challenge and requires significant and proactive provider education.

The operating environment is also made uncertain by the COVID-19 pandemic, which occurred in early 2020. We contributed to the Government response, including by participating in the Advisory Committee for the COVID-19 Response for People with Disability, by altering our internal operations appropriately and by issuing relevant guidance.

To the extent that ongoing or recurring pandemic-related issues require changes to disability support practices or standards, we will do so with respect to those for which we are responsible, and will ensure standards are appropriately adhered to.

To the extent that the COVID-19 pandemic has significant economic impacts, it will also affect our operating environment. For instance, economic impacts from COVID-19 may increase the supply of prospective disability support workers. However, if a high proportion of these workers are redeployed from affected industries that will create a significant need for training and upskilling. Additionally, effective disability support may be of value in minimising economic impacts if it maximises the ability of people with disability to participate in the economy.

It is also noteworthy that the expectations of the community may evolve, such as through the outcomes and media coverage of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, or through continued evolution in community standards more broadly. This may greatly increase the extent of quality and safeguarding activity if providers of disability support face challenges in meeting these expectations, particularly where those are reflected in changes to legislation or regulatory instruments.



## Capability, strategy and plans

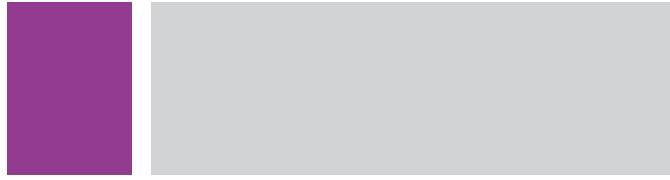
We have developed and continue to develop appropriate organisational capability. Examples of this include:

- We have staff with appropriate training and experience in delivering all our functions, including:
  - applying our regulatory framework
  - complaints and reportable incidents management
  - registration
  - providing leadership in behaviour support
  - investigating incidents and allegations
  - communicating effectively with participants and providers.
- We will continue to develop and enhance the capability of our people, including through broad capability development programs and through targeted recruitment.
- We are continuing to develop a comprehensive operating model, which supports efficient and consistent decision-making. A key capability supported by the operating model is the ability to ensure that, regardless of the means by which an issue comes to our attention, it is triaged effectively to ensure the most appropriate response is consistently applied across all issues. It also ensures that we actively look to solve systemic problems.
- We have a suite of ICT capabilities, most notably our custom-built business processing system, the NDIS Commission’s Operating System (known as COS). COS has undergone significant enhancements to date to ensure its continuing fitness for purpose, and we will continue to investigate further enhancement options.
- We have established appropriate avenues for contact. We now have state offices in every capital city, each of which has interview room facilities to allow participants to visit and raise any concerns, as well as a contact centre.
- We maintain a data and analytics capability to allow analysis of data with respect to all our operations, including analysis and monitoring of trends and patterns.
- We have all required corporate enabling functions, including finance, communications, human resources, ICT, legal, parliamentary liaison, program office, property, and security functions. We also receive selected corporate support services through shared services arrangements with the Department of Social Services and Services Australia.

Our capability development is shaped by six identified strategic capabilities, which are listed in Appendix 3. Our overall strategy and internal planning is shaped by a goal of maximising performance with respect to each of these.

While we have strong internal capability, there are a number of ways in which our capability requirements may change. We manage these through constantly monitoring and anticipation of requirements, combined with the capacity to respond to emerging capability shortfalls. For example:

- An increase in case load or case complexity, and support to external activities such as the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, may create workforce capacity shortfalls. We have recently enhanced our strategic human resources capacity to assist in planning for such eventualities and we are able to seek additional resources through the budget process.
- Ongoing evolution in our environment may require adjustments to our workforce skills. Examples of this include changes in compliance patterns that would require enhanced broad-based regulatory experience, or changes in complainant preferences leading to increased demand for approaches such as mediation and conciliation. Our strategic human resources capability can monitor and address this need as it arises.
- Infrastructure needs may change over time, such as facility upgrades in the event that security standards change. The corporate group, working with its allocated property service provider under whole of government arrangements, is able to execute property programs as required to accommodate such changes.
- A variety of user requirements, software and interface standards, and other requirements may lead to a need to modify or upgrade ICT systems, including COS. We manage this risk by continuously monitoring system demands and requirements, and maintaining the capability, through both our internal ICT team and support from Services Australia, to execute ongoing upgrades to COS and to our broader ICT platforms.



## Risk management

We implement risk management in accordance with Commonwealth requirements, including the Commonwealth Risk Management Policy. We have published appropriate governing documents, including a Risk Management Policy, a Risk Management Framework, and Risk Management Guidelines. These define our overall approach, including risk assessment methodologies, our risk tolerance and risk thresholds, key responsibilities for staff and management, and our approach to shared risk.

Risk oversight is supported by an internal audit program. In addition, we are supported through external oversight by an Audit Committee, which meets four times per year, or more frequently when required. The Audit Committee provides our Commissioner with independent advice and assurance on the appropriateness of our financial reporting, governance, performance reporting, and management of risk.

We have, through a variety of senior executive workshops and interviews, identified a number of key risks. These risks, and their mitigations, include:

We have, through a variety of senior executive workshops and interviews, identified a number of key risks. These risks, and their mitigations, include:

- the risk that the NDIS system overall has insufficient capability and capacity. We mitigate this risk by ensuring the registration process is efficient and proportionate, so as not to deter providers from entering the market, and by developing education and guidance to maximise provider capability.
- the risk that we lack resources necessary to deliver our remit. We mitigate this risk, in consultation with our portfolio department, DSS, by monitoring caseloads carefully, and can seek additional resources through the budget process if it is required.
- the risk that staff wellbeing is negatively impacted by exposure to highly confronting incidents as part of their work. We mitigate this risk by supporting our staff, including by allowing extensive access to an employee assistance program.
- the risk that we are unable to make effective use of the information we possess. We mitigate this risk by maintaining a dedicated data analytics capability, as well as ensuring senior leaders are aware of significant trends in data received.
- the risk that we fail to make consistent and effective decisions. We mitigate this by maintaining all operational state offices in a carefully designed Branch structure, allowing for consistency of direction, and through an ongoing program to develop and maintain a comprehensive operating model which supports efficient and consistent decision-making.

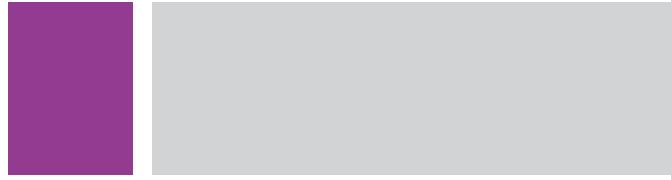
## Cooperation

We cooperate with a wide variety of other government agencies and other stakeholders. For example:

- We work closely with our portfolio department, DSS, on a wide range of issues relating to overall quality and safeguarding, and on a variety of corporate and governance matters. A key outcome for DSS is improved independence of, and participation by, people with disability, including improved support for carers, by providing targeted support and services, and we contribute to this through effective regulation of providers.
- We work closely with the NDIA on a variety of matters. We contribute to each other's desired outcomes: the NDIA supports service providers with the costs of obtaining registration and provision of education and training for providers, workers and auditors. This supports us in our goals to regulate and improve the quality of supports and services, and to regulate providers and respond to complaints. This in turn supports the NDIA in its delivery of a successful NDIS.
- We have worked with a wide variety of agencies in responding to the COVID-19 pandemic, including through participation in the Advisory Committee on Health Emergency Response to Coronavirus (COVID-19) for People with Disability.
- We have entered into information-sharing arrangements with other Commonwealth government agencies, such as the Australian Health Practitioner Regulation Agency, the Aged Care Quality and Safety Commission, the Australian Commission on Safety and Quality in Health Care, the Australian Securities and Investments Commission, the Australian Competition and Consumer Commission, and the Department of Health to help support regulatory functions and prevent regulatory gaps from emerging.
- We are also developing information sharing-arrangements with a variety of state and territory agencies, including police and coroners in each jurisdiction, to help support our regulatory functions and to assist those agencies in carrying out their functions, including by pursuing matters that are outside our jurisdiction.

Beyond these examples of formal cooperation, we maintain informal links and regularly interact with other regulators, advocacy groups, and peak bodies, and engage with programs such as community visitor schemes which provide advocacy and support to people with disability.

The NDIS Commission's performance framework has evolved over the first two years of its existence as it moves towards maturity.



## Performance

### Performance measure discussion

Our performance measures are intended to demonstrate our overall performance in delivering against our purpose. Our performance framework has evolved over the first two years of our existence as it moves towards maturity.

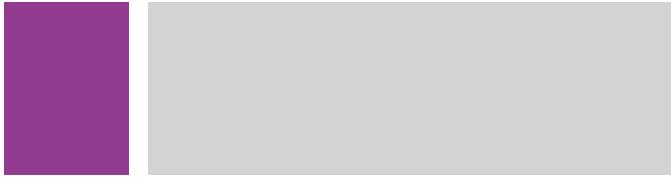
The performance measures are consistent with the performance criteria to be published in the Portfolio Budget Statements (PBS) for the current year.



The following table describes the performance criteria for the first year covered by this Corporate Plan. They all support Outcome 1 for the NDIS Commission as listed in the PBS, which is to promote the delivery of quality supports and services to people with disability under the NDIS and other prescribed supports and services, including through nationally consistent and responsive regulation, policy development, advice and education.

Program	2020–21 performance criteria	2020–21 targets
<b>Program 1.1 – Support for National Disability Insurance Scheme providers in relation to registration</b> – support for NDIS providers in relation to registration to support service providers with the costs of obtaining NDIS registration and to support the provision of education and training for providers, workers and auditors.	<ul style="list-style-type: none"> <li>provide guidance and support to service providers, workers and auditors</li> </ul>	<ul style="list-style-type: none"> <li>program supports provision of guidance, education, and training for providers, workers, and auditors</li> </ul>
<b>Program 1.2 – Program Support for the NDIS Quality and Safeguards Commission</b> – provide departmental funding for the annual operating costs of the NDIS Commission to enable us to achieve our outcomes.	<ul style="list-style-type: none"> <li>manage complaints about the quality and safety of NDIS services</li> <li>manage reportable incidents with respect to NDIS services</li> <li>increase capability and capacity of behaviour support practitioners through leadership and guidance on education</li> <li>manage the registration of NDIS service providers</li> </ul>	<ul style="list-style-type: none"> <li>complaints about the quality and safety of NDIS services managed across Australia</li> <li>reportable incidents are effectively managed across Australia</li> <li>leadership and guidance on behavior support is provided across Australia</li> <li>service provider registration is managed across Australia</li> </ul>

Note that the 2020–21 Budget was delayed until after the publication of this Plan. The above measures are, therefore, planned, but not published at the time this document was finalised. In the event that the Portfolio Budget Statements differ from the above, we will issue an update to this Plan.



## Performance measures

Our performance measures are described in the following table. They are mapped to the strategic goals described earlier in this Plan. All measures support our purpose as described earlier in this Plan and program 1.2 as described above, and performance measure 4.1 also supports program 1.1.

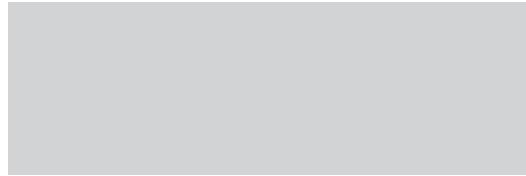
Ser	Performance measure	2020–21	2021–22	2022–23	2023–24
1	Positively influence the disability support system through effective quality and safeguarding activities, including but not limited to: <ul style="list-style-type: none"><li>• management of complaints and reportable incidents</li><li>• oversight of and leadership in behaviour support</li><li>• registration of NDIS service providers</li></ul>				
1.1	Management of complaints and reportable incidents				
1.1.1	The NDIS Commission receives and responds to complaints	✓	✓	✓	✓
1.1.2	The NDIS Commission receives reports of reportable incidents and takes action where appropriate	✓	✓	✓	✓
1.2	Oversight of and leadership in behaviour support				
1.2.1	The NDIS Commission assesses and oversees behaviour support practitioners appropriately	✓	✓	✓	✓
1.2.2	The NDIS Commission monitors the use of restrictive practices	✓	✓	✓	✓
1.2.3	The NDIS Commission provides leadership and guidance in the field of behaviour support	✓	✓	✓	✓
1.2.4	The NDIS Commission assists states and territories in a nationally consistent regulatory framework for restrictive practice authorisation	✓	N/A	N/A	N/A
1.3	Registration of NDIS service providers				
1.3.1	The NDIS Commission receives and assesses applications for registration from NDIS providers	✓	✓	✓	✓
1.3.2	NDIS providers are assessed against NDIS Practice Standards that relate to services and supports they deliver	✓	✓	✓	✓
1.4	Other quality and safeguarding activities				
1.4.1	The NDIS Commission maintains an appropriate level of engagement and education activities	✓	✓	✓	✓
1.4.2	The NDIS Commission undertakes appropriate compliance and enforcement actions	✓	✓	✓	✓
2.	Finalise transition activities and continue to mature and grow NDIS Commission capability for full operation in all jurisdictions and across the spectrum of regulatory activities				
2.1	The NDIS Commission finalises its transition activities	✓	N/A	N/A	N/A
2.2	The NDIS Commission develops and matures its capabilities appropriately	✓	N/A	N/A	N/A

<b>Ser</b>	<b>Performance measure</b>	<b>2020–21</b>	<b>2021–22</b>	<b>2022–23</b>	<b>2023–24</b>
3	Continue to refine and develop our business and operating models to continue to provide efficient, evidence-based, consistent regulation, with the entire Commission focused on key priorities				
3.1	The NDIS Commission continues to refine and develop its operating model	✓	N/A	N/A	N/A
3.2	The NDIS Commission continues to refine and develop its business processes	✓	N/A	N/A	N/A
4	Work with stakeholders, including grant recipients and other partners, to positively impact the quality and safety of disability supports				
4.1	The NDIS Commission’s grant program funds recipients to deliver positive outcomes	✓	✓	✓	✓
4.2	The NDIS Commission maintains an appropriate level of consultation with key stakeholders	✓	✓	✓	✓

## Regulator Performance Framework

In addition to the above performance measures, which operate under the Commonwealth’s Enhanced Performance Framework, we will also report annually on our performance under the Regulator Performance Framework (RPF). The RPF is intended to encourage regulators to carry out their activities with the minimum impact necessary to achieve their regulatory objectives. It is also intended to effect positive cultural change within regulators. The RPF allows regulators to report objectively on their performance in administering regulation in a fair, effective, and efficient manner. When reported on, performance under the RPF will be reported against the following Key Performance Indicators (KPIs):

- KPI 1 – regulators do not unnecessarily impede the efficient operation of regulated entities
- KPI 2 – communication with regulated entities is clear, targeted, and effective
- KPI 3 – actions undertaken by regulators are proportionate to the regulatory risk being managed
- KPI 4 - compliance and monitoring approaches are streamlined and coordinated
- KPI 5 – regulators are open and transparent in their dealings with regulated entities
- KPI 6 – regulators actively contribute to the continuous improvement of regulatory frameworks.



## Appendix 1: Compliance table

This Plan has been prepared in accordance with the requirements of:

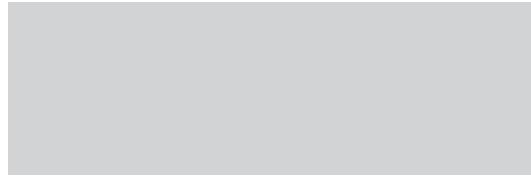
- subsection 35(1) of the PGPA Act
- the PGPA Rule
- Resource Management Guide 132 (Corporate Plans for Commonwealth entities).

This table details the requirements met under the NDIS Commission's Corporate Plan and the page reference(s) for each requirement.

Requirement	Page(s)
Introduction	4
Statement of preparation	4
The reporting period for which the plan is prepared	4
The reporting periods covered by the plan	4
Purposes	4
Key activities	10-11
Operating context	12-16
Environment	12
Capability	13
Risk oversight and management	15
Cooperation	16
Subsidiaries	Not Applicable
Performance	17-20

## Appendix 2: Glossary

Term	Definition
NDIS Act	The <i>National Disability Insurance Scheme Act 2013 (Cth)</i>
NDIS Commission	The NDIS Quality and Safeguards Commission
Participant	A person who is a participant in the NDIS, as defined in sections 28–30 of the NDIS Act
PGPA Act	The <i>Public Governance, Performance and Accountability Act 2013 (Cth)</i>
PGPA Rule	The <i>Public Governance, Performance and Accountability Rule 2014 (Cth)</i>
Provider	A person or legal entity who is an NDIS provider as defined in section 9 of the NDIS Act
Restrictive practice	Anything that restricts the rights or freedom of movement of a person with disability
Supports, or supports and services	A range of products and services which may include education, employment, social participation, independence, living arrangements and health and wellbeing



## Appendix 2: Glossary continued

Acronym	Expansion
APS	Australian Public Service
COS	Commission Operating System
DSS	Department of Social Services
KPI	Key Performance Indicator
NDIA	National Disability Insurance Agency
NDIS	National Disability Insurance Scheme
RPF	Regulator Performance Framework

## Appendix 3: Strategic capabilities

The following six strategic capabilities are an enduring set of capability goals that shape our ongoing development. They align with our strategic direction and are areas which are key to ensuring effective and consistent operations.

### **Strategic capability 1: Maintaining linkages**

Identify, establish, and maintain stakeholder relationships across the NDIS system, while maintaining our independence through:

- strong relationships with key external stakeholders
- a clear purpose and expectation on how we will interact with our stakeholders
- formal information sharing arrangements with our partner agencies to support us to be informed and connected across the system.

### **Strategic capability 2: Evidence and risk-based decision-making**

Enable evidence and risk-based decision making to allow rapid responses to urgent and high-risk issues to avoid or minimise unintended outcomes through:

- decision-making tools that enable evidence and risk-based decision-making, and sound administrative decision-making (against the provisions in the NDIS Act and associated Rules) and risk-responsive regulation
- systems that maintain the integrity of information at all stages to ensure access to the right information is available at the right time
- strong relationships with the NDIA, advocacy bodies, and other bodies to support the delivery of information to, and appropriate referral for people with disability at critical times.

### **Strategic capability 3: Research, evaluation, data, and analysis**

Produce insights and intelligence through the analysis of data from across our functions, other sources such as the NDIA, regulators, and open sources through:

- collecting information and linking data with other available information to build intelligence about the quality of services and the areas of risk for participants and market changes
- creating a culture that encourages the intelligent and consistent use of information to improve outcomes for people with disability in the NDIS
- efficiently using information from a range of sources to inform activities, including contemporary research, inquiries, and traditional and social media platforms
- developing our ability to analyse data to evaluate and improve our performance as a regulator.



#### **Strategic capability 4: Anticipating emerging risks**

Identify patterns of behaviour and predict risks before they occur and manage and mitigate those risks by:

- developing an overarching view of the NDIS market, and sub-markets to understand how risk can be identified and mitigated at a system level
- understanding the points at which risks could occur and work with providers and other bodies to initiate interventions to reduce the likelihood of risk occurring
- building workforce capability to identify patterns and trends that might indicate risk and respond accordingly.

#### **Strategic capability 5: Building an understanding of our role**

Manage expectations of our role and performance, with the community and key stakeholders through:

- communicating our role, function and performance measures to participants, providers, and key stakeholders
- training and supporting our staff to understand our role and the scope of our work
- ensuring we act with integrity and independence as a regulator
- providing and supporting the provision of education and materials for providers so that they can improve the quality of supports and services they provide.

#### **Strategic capability 6: Organisational learning, renewal, and innovation**

Produce insights to inform innovation and to improve our organisational capacity over time by:

- building our corporate learning and corporate knowledge
- establishing processes to identify risk and capture and adopt innovation
- involving staff at all levels through performance improvement activities
- learning from our partners including other regulators.

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**For more information about this report, please contact**

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