



**NDIS Quality
and Safeguards
Commission**

Dear NDIS Provider

A new national system of quality and safeguards in the NDIS

From 1 July 2018, the NDIS Quality and Safeguards Commission (NDIS Commission) will commence operation in New South Wales (NSW) and South Australia (SA). The NDIS Commission will commence in other states and territories from 1 July 2019, with the exception of Western Australia where it will commence on 1 July 2020.

The establishment of the NDIS Commission, and the new obligations for which it will be responsible, arise from the NDIS Quality and Safeguarding Framework that was agreed by all Australian governments in January 2017 following extensive consultation. The NDIS Act 2013 was changed in December 2017 to give effect to that framework.

This letter sets out the changes that will affect you as an NDIS registered provider when the NDIS Commission starts operation in your state or territory.

The NDIS Commission is an independent government body that will work to improve the quality of NDIS services and supports, prevent harm and safeguard the rights of participants, investigate and resolve problems, and strengthen the skills and knowledge of providers and participants across Australia. It will replace the various quality and safeguards arrangements that have been in place in states and territories, creating a unified and consistent national system.

The NDIS Commission will have a focus on development and education as well as compliance and monitoring, and will work with people with disability, NDIS providers and workers to improve their skills and knowledge.

Your registration will automatically transfer on 1 July 2018

You do not need to do anything before 1 July to continue to be registered. The transitional rules allow for your existing registration to transition to the NDIS Commission from the NDIA. You will receive a new certificate of registration from the NDIS Commission by 1 July.

The NDIS Commission recognises that it will be necessary to phase in some obligations; registration renewals will be phased and you will be issued with a new registration certificate before 1 July. That certificate will set a renewal date for registration and list your current registration groups. The NDIS Commission will take into account your organisation's registration groups, the recency of past compliance audits, and any other relevant factors in determining the renewal date for your registration. At the time of your registration renewal you will need to demonstrate that your organisation meets the new NDIS Practice Standards.

You should check your organisation's details and registration groups in the NDIA's provider portal to make sure the information that is transferred to the NDIS Commission is correct before 21 June 2018.

New requirements for registered providers

When your registration transfers to the NDIS Commission from 1 July, you will be required to:

- comply with the new NDIS Code of Conduct, covering providers and workers
- implement an internal incident reporting system, including the submission of “reportable incidents” to the NDIS Commission
- manage complaints effectively
- screen workers in accordance with the arrangements in NSW and SA respectively, and
- meet behaviour support reporting obligations, if these apply to your organisation.

From 1 July all registered providers are required to report to the NDIS Commission those incidents that result in serious harm to people with disability. Reportable incidents include death, serious injury, abuse or neglect, unlawful sexual or physical contact, assault, sexual misconduct and unauthorised restrictive practices.

Providers’ obligations are set out in a series of rules made under the Act. A summary of these rules and what they cover is attached to this letter.

A new provider portal will support the work of the NDIS Commission. Functionality will progressively be implemented from 1 July 2018, and your feedback on the portal will help us with these incremental improvements.

The NDIS Commission is developing practical information and guidance to help you understand and meet your obligations. We will build on this information over time. You can find the rules and further information by going to www.ndiscommission.gov.au.

The commencement of the NDIS Commission is an exciting development, and an important part of the approach to building inclusive, respectful and supportive communities across Australia that promote the rights and wellbeing of people with disability.

We will take a collaborative approach – working with the sector to drive positive change so that the services and supports provided to people with disability through the NDIS are safe, and deliver the best possible outcomes for every participant.

I look forward to working with people with disability – and their carers, families and advocates – and with providers to deliver this new approach to quality and safeguards.

Yours sincerely,



Graeme Head

Commissioner Designate, NDIS Quality and Safeguards Commission