



Registration Roundtable – summary and outcomes

The Registration Roundtable held on 21 March 2022, was an opportunity to kick start a discussion about how the Commissioner can evolve the use of the NDIS provider registration function, explore possible adjustments to registration arrangements, and inform future NDIS regulatory approaches.

The Roundtable was attended by Minister Reynolds, who gave the opening address and emphasised the centrality of participant choice and control to the NDIS, and the careful design of the regulatory framework that established the NDIS Commission, to uphold the rights of NDIS Participants and enable that choice and control. The Minister emphasised that alongside the Code the registration function of the NDIS Commissioner is the regulatory mechanism for many of the other functions that the Commissioner is charged with performing. With the experience of the first 3 years of operation, it is time to consider how this critical function can be developed to further enhance quality and safeguards in the NDIS.

Tracy Mackey, NDIS Commissioner; and Leah Van Poppel, Principal Member to the Independent Advisory Council to the NDIS and NDIA Board, co-chaired the Roundtable. Commissioner Mackey emphasised that this Roundtable was the first of many discussions about the registration function.

The roundtable was attended by a mix of stakeholders including those representing the voice of people with disability, and others representing industry. While there were some areas of consensus, there were different views on a number of issues that will require further exploration, particularly with people with disability.

Following is a summary of key themes and discussion from the Roundtable.

Key themes and ideas from the discussions

- The **registration** of NDIS providers should give NDIS participants assurance that they will be receiving a safe, quality service. Better information is needed for participants about registration, the Practice Standards against which providers are assessed, and how they can contribute to an assessment of a provider's quality.
- Participants who self or plan manage must continue to be able to make decisions about who they access supports from, including providers that are not registered. There should be further discussion with participants about what additional safeguarding might be beneficial for those self or plan managing, including where they choose to use providers that are not registered.
- Registration as a regulatory tool is a key mechanism to support the intent of the NDIS, by upholding the rights of participants to **choice and control**, including from the point where a participant may choose to self- or plan- manage and direct their own supports. Requirements for providers to be registered should not detract from a participant's ability to direct their own supports and access the supports of their choice.

- There is a need to reflect the **participant's voice** in how providers are assessed to be registered, and for providers to support the capacity of participants to have their voice heard, both in that assessment, and in how they deliver supports and services more broadly. This should be transparent and available to other participants who may consider using a particular provider.
- There should be **minimum standards** that apply to all providers in the market. Currently the NDIS Code of Conduct sets that standard for all providers of services and supports, with NDIS Practice Standards applying to registered providers. Some attendees wanted other requirements to be applied to all providers, whether registered or not, such as the requirement to have a complaints and incident management systems, and quality governance arrangements. There was general agreement that the NDIS Practice Standards set a good foundation for delivering quality supports in the market and should be more widely promoted.
- Some participants thought it was important that any provider delivering supports to an NDIS participant must be known to the Commission, although this was not universally agreed.

Safeguarding elements of registration

- Attendees acknowledged what is working well with the safeguarding elements linked to the registration, such as a nationally consistent regulatory framework, increased transparency from functions which flow from registration such as reportable incidents, and national worker screening.

Proportionate and risk-based approach to registration

- Risk should not only be considered in terms of risk of immediate harm to safety, health and wellbeing, but for example, risks when a provider is too involved in a participant's life, or risks when services don't promote capacity of participants.
- Any further segmentation of registration should ensure that registration requirements are appropriate and proportionate to not only the level of risk involved in a support, but also the frequency and level of direct contact with a participant that a service or support might involve.
- Consideration should be given to mandatory registration for some additional support types, such as accommodation providers and support coordinators, given the inherent risks involved in providing accommodation and the high level of influence that support coordinators can have on participants.
- Some attendees considered that there should be an 'even playing field' for all providers in the NDIS, and that current arrangements disadvantage registered providers in operating efficiently in the market. Others expressed a view that this would reduce choice, innovation and quality. This issue will need to be explored further, particularly from the perspective of people with disability.

Registration as an indicator of quality

- For participants and their supporters, there needs to be a stronger emphasis on the link between registration and quality. There also needs to be increased awareness for participants about what it means if a provider is registered, and if they are not, what is in place to assist participants to address issues with quality.

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- Participants and their supporters will look to a range of sources of information to find out about provider quality, such as reputation within the community. Word of mouth is particularly important for participants from Aboriginal and Torres Strait Islander or CALD communities.
 - More mechanisms for participant views about the quality of supports and the performance of providers would be welcomed, in addition to the Commission's complaints function, for example through self-reporting mechanisms which could also be adapted for a 'star rating' type approach.
 - Public information about provider quality amongst registered providers should be available to support informed choice.
 - Further thinking is required on ways that registration could be incentivised amongst providers as a stronger marketing tool, along with opportunities for targeted education to participants and supporters to make informed choices.
 - The Commission should consider further work to develop the audit program.

Next steps

Commissioner Mackey will continue to discuss registration matters with stakeholders, including with the Disability Sector and Industry Consultative Committees. In particular, further discussion on audits and auditing is required to understand the related issues in more detail.

The NDIS Commission will continue to test ideas with stakeholders as they are progressed.