



NDIS Quality
and Safeguards
Commission

Registration of Platform Providers

Consultation Paper

November 2024



Acknowledgement of Country

The NDIS Quality and Safeguards Commission acknowledges the traditional custodians of the land on which we live and work. We pay our respects to their Elders past, present and emerging as well as any First Nations People reading this paper.

It is our hope that as Australians we can work together to make a meaningful difference for a more inclusive and respectful society for all.

Artwork by Presten Warren

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Our approach to proposed Regulatory Reform

About the NDIS Quality and Safeguards Commission

The NDIS Quality and Safeguards Commission (NDIS Commission) is an independent Australian Government body that regulates the National Disability Insurance Scheme (NDIS). We protect the rights of people with disability, register and regulate NDIS providers, and work with NDIS participants and the disability sector to improve the quality and safety of their NDIS supports and services and ensure the Scheme's sustainability.

About Proposed Regulatory Reform

The Government is changing the NDIS to make it better for everyone. To do this, we want to hear your thoughts and opinions on the changes the Government is making.

We will put participant voices at the centre and prioritise groups most affected by reform. Our language will be accessible, clear and straight forward, and you will be able to engage in a variety of different ways. We welcome your feedback on how we can do better.

What we are talking about

We started talking to participants, providers and workers about these proposed changes in October 2024. We are talking about several main topics:

Registration of Platform Providers (*you are here*)

Registration of support coordinators and supported independent living (SIL)

Self-directed supports and changes to the definition of an NDIS provider

Proposed changes to the NDIS Act (Bill No 2)

This paper is about the registration of Platform Providers.

How you can get involved

You can find out more about the proposed changes on our website: [Reform Hub](#).

We want to hear from you. We will try to make our consultations and information as accessible as possible. We have prepared Easy Read version of this paper. You can have your say by:

- Completing a [survey](#)
- Contacting us by email at consultation@ndiscommission.gov.au

Tell us how we can improve

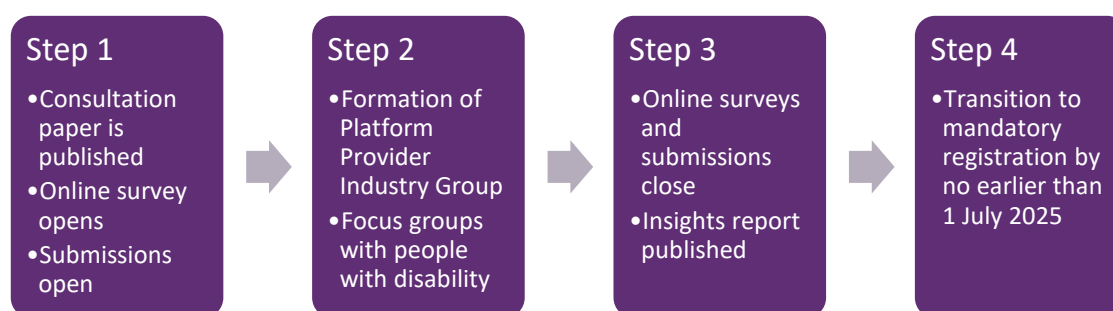
We want to know if we can make our approach better. If you have feedback on how we can improve our engagement, please contact us at consultation@ndiscommission.gov.au.

Our Approach to Registration of Platform Providers

About Registration of Platform Providers

In 2023, the NDIS Commission released an Own Motion Inquiry into Platform Providers, which identified that platforms can offer innovative support that support NDIS Participant choice and control. However, more is needed to be done to safeguard NDIS Participants and improve service quality. On 16 September 2024, the Minister for Government Services and the NDIS, the Hon Bill Shorten MP announced that mandatory registration of all Platform Providers a priority. This consultation will inform the way we implement mandatory registration for Platform Providers.

Where we are going



Our plan to consult on Registration of Platform Providers includes:

- Step 1: Consultation paper is published (*this paper*), submissions open and online survey on Platform Providers opens
- Step 2: Platform Provider Industry Group and focus groups with people with disability
- Step 3: Online surveys and submissions close on March 7 2025. Insights report to share what was heard as part of the consultation will be published.
- Step 4: Start to transition providers to registration by no earlier than 1 July 2025, based on feedback from consultations.

To find out more about what we are doing on other topics, and how this fits, please see our [Regulatory Reform Roadmap](#).

What we want to know

We want to know more about the following:

- How NDIS Participants and workers use Platform Providers
- How to define what a Platform Provider is, including what their key features are
- Explore how we can approach registering Platform Providers

Paper on a Page

Purpose

The purpose of this consultation paper is to seek community feedback about registering all Platform Providers with the NDIS Commission to deliver NDIS supports.

About Platform Providers

- Platform Providers are NDIS providers that use profile-based platforms to connect participants with workers to deliver NDIS supports, for example an app or website where NDIS participants and workers create a 'profile'. Currently, Platform Providers may be registered or unregistered NDIS providers.
- In 2023 the NDIS Commission released the [Own Motion Inquiry into how Platform Providers operate in the NDIS market](#) (the Inquiry) Insights Report. The Inquiry, that was based on the experience of participants, showed that innovation used by Platform Providers can increase choice and control. The Inquiry also showed that more is needed to be done to safeguard NDIS participants and improve service quality in this part of the NDIS Market.
- Platform Providers will be required to register under the current registration model. We want to preserve what NDIS Participants and workers value the most about their engagement with Platform Providers, while improving the quality and safety of services.

What we want to know about

Definition of Platform Providers

We need to define what a Platform Provider is. From reviewing other relevant laws and reports, we know we will be working through a range of issues. We will need to ensure our definition only captures NDIS services and appropriately defines what platforms are used for. Our initial view is that we should define platforms by describing their shared characteristics. Some of these shared characteristics include the operation of a profile-based platform, their role in linking workers and NDIS participants, and the services delivered through their platform.

Registration of Platform Providers

We heard in the Inquiry that Platform Providers play an important role in supporting NDIS participant choice, control and flexibility. They are also an example of innovation in the NDIS market. We want to ensure participant choice and market innovation continue to be encouraged. We also want to enhance our regulatory oversight and make sure Platform Providers consistently deliver good quality services, safely. We also want to ensure that by requiring Platform Providers to be registered with the NDIS Commission we are improving the experience of participants, workers and other NDIS providers using them.

Have Your Say

Submissions and consultation responses

We want to hear from you. You can have your say by completing a [survey](#) or sending us your written submission to consultation@ndiscommission.gov.au.

For NDIS Participants and workers, the online survey will also include the option to answer questions about your experiences with Platform Providers. We are keen to understand the relationships NDIS Participants and workers have with Platform Providers to help with how Platform Providers should be defined. The survey will also help to ensure we understand and can preserve what NDIS Participants and workers value the most about their engagement with Platform Providers.

Purpose

The purpose of this consultation paper is to seek community feedback about registering all Platform Providers with the NDIS Commission to deliver NDIS supports.

Context

On 16 September 2024 the Minister for Government Services and the NDIS, the Hon Bill Shorten MP announced that mandatory registration of all Platform Providers is a priority (as well as providers delivering support coordinators and Supported Independent Living (SIL) services).

Platform Providers are NDIS providers that use profile-based platforms to connect NDIS Participants with workers to deliver NDIS supports, e.g. an app or website where participants and workers create a 'profile'. Platform Providers are not currently required to be registered with the NDIS Commission.

Background

What we have heard so far

Own Motion Inquiry: [Own Motion Inquiry into Platform Providers in the NDIS Market | NDIS Quality and Safeguards Commission \(ndiscommission.gov.au\)](#)

In 2023, the NDIS Commission completed an Own Motion Inquiry into Platform Providers Operating in the NDIS Market (the Inquiry). As part of the Inquiry, the NDIS Commission partnered with disability organisations to conduct in-depth participant consultation, including consultations with people with intellectual disability and psychosocial disability. The Platform Providers at the centre of the Inquiry were also engaged.

Overall, 1,462 participants, workers, and stakeholder organisations attended consultations, completed surveys and made submissions.

Positive features of Platform Providers identified were that they:

- offer people with disability the ability to choose their worker(s)
- can make accessing NDIS supports or services easier
- enable people with disability greater flexibility when organising their services.

Challenges identified included that:

- it can be a lot of work to set up profiles and engage workers using a Platform Provider.
- NDIS Participant and workers had a generally poor understanding of their service relationship, including rights and responsibilities
- NDIS Participants want all NDIS providers, including those that use platforms to have a better understanding of how to support people with disability

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- fees vary from platform to platform, and it isn't always clear what the fees are. Platform Providers need to get better at explaining what they are charging for
 - Platform Providers do not have a consistent approach to how they check that the workers on their platforms are safe to work with people with disability

In recent months (and following the advice provided by the [NDIS Provider and Worker Registration Taskforce](#)), we took another look at how Platform Providers are operating in the NDIS market. We identified:

The Platform Provider market continues to grow rapidly, and change is a constant feature.

A number of new Platform Providers have been identified since the Inquiry. Platform Providers are growing in size, number and complexity. Platform Providers have different ways of working but present with many of the same challenges for ensuring that supports and service are good quality and safe. We will continue to monitor and engage with Platform Providers as we move towards mandatory registration.

The Inquiry helped clarify understanding of obligations and expectations of Platform Providers. However, more oversight and a targeted approach to Platform Providers is needed to promote good and safe supports.

The Inquiry was clear that “from a safeguarding perspective, regardless of the service setting, Platform Providers and anyone delivering services via Platform Providers are NDIS providers and regulated by the NDIS Commission and subject to the NDIS Code of Conduct.” We think that defining Platform Providers and requiring them to be registered will support a better and consistent understanding of Platform Provider, worker and participant roles and responsibilities.

A consistent approach to regulating Platform Providers across the NDIS Commission and engagement with other regulators is essential to addressing the issues identified in the Inquiry.

Since the Inquiry, the NDIS Commission has worked with other regulators including the Australian Competition and Consumer Commission (ACCC), the Fair Work Ombudsman and the Fair Work Commission on issues related to Platform Providers, including service contracts, participant and worker safety and reform.

“Gigification” is not unique to the NDIS, but the NDIS presents unique quality and safety challenges.

Similar to other industries, the emergence of digital platforms has led to a new way of providing services. The Inquiry assisted with identifying some of the benefits and risks of Platform Providers operating in the NDIS. The NDIS Commission is keen to collaborate with participants, workers and providers as we move to mandatory registration to ensure best possible outcomes for Participants. Learnings from the Inquiry and further evaluation can ensure that new and innovative service provision can inform regulatory reform.

Regulation that supports quality, safety, choice and innovation

Currently, Platform Providers are not required to be registered with the NDIS Commission. Some Platform Providers do choose to be registered however the platform service they offer is not defined or formally recognised. Currently Platform Providers who are registered with the NDIS Commission apply to be registered for the class of support delivered using their platform. Platform Providers have been identified as a priority for mandatory registration.

Mandatory registration of Platform Providers is a key step towards Platform Providers making improvements to ensure the services and supports that occur through their platforms are safe and of high quality.

We are continuing the conversation from the Inquiry by seeking input on how we encourage choice, control and innovation in the NDIS Market while addressing the issues of quality and safety identified.

“They (Participants) do the heavy lifting when it comes to ensuring their safety, evaluating service quality, and acting when things go wrong.” - Inquiry

We are keen to hear ideas about how registration of Platform Providers can be considered in a way that

- promotes the human rights of people with a disability,
- encourages innovation
- provides choice and control
- ensures safety and
- good quality services.

Consultation Questions:

How can the registration of Platform Providers support Platform Providers to deliver high quality and safe services?

How can the registration of Platform Providers ensure that innovation and choice and control are maintained and encouraged?

How can the NDIS Commission ensure a smooth transition to mandatory registration for participants, workers and providers?

Defining Platform Providers

The NDIS does not have a standard definition for Platform Provider. In the Inquiry, we defined Platform Providers as an NDIS provider that “uses a profile-based platform... to connect participants with workers to deliver NDIS supports.” We think this definition is a good starting point, but we can do better.

We have looked at how online platforms are defined and described in other contexts. Some of the reports we have looked at include the Independent Review of the NDIS and NDIS Provider and Worker Registration Taskforce Advice to Government. Platform Providers are defined in the *Fair Work Act 2009* (Cth), the proposed *Aged Care Bill 2024* (Cth) and the Australian Taxation Office’s Sharing Economy Reporting Regime.

From these reports and laws, we have identified some issues that deserve careful consideration and that would benefit from feedback. Our initial view is that to define Platform Providers we should refer to their common features rather than try to describe them in all their (varied) forms. This approach to defining Platform Providers would likely include:

- A foundational description of a platform-based service (e.g. a website or application)
- Recognition that the Platform Provider services we intend to capture collect fees
- A description of the Platform Provider’s role in a service relationship that also involves a worker-participant service relationship
- Acknowledgement of the different relationships Platform Providers have with workers and other NDIS providers using platforms
- Clarify and distinguish between platform services (the app or website connecting workers and NDIS Participants) and services delivered to NDIS participants via platforms (the services delivered by workers, like daily and, community support or allied health services).

We also think it would be beneficial for us to have the ability to designate an organisation as a Platform Provider. We want to ensure that new or emerging Platform Providers that may not be captured by definition are identified to ensure a consistent and fair approach to regulating this part of the NDIS market.

Consultation Questions:

What are the benefits and risks of the approach we are considering to define Platform Providers? What other features could we include?

Have your say

We are seeking feedback on the questions above from NDIS Participants, advocates and providers, their representative organisations, as well as the general public. This will inform our next steps in moving towards the registration of Platform Providers.

Please provide feedback to the NDIS Commission by:

- Completing the [Survey](#)
- Sending us your written submission to consultation@ndiscommission.gov.au.

Survey and submissions will be open until March 7 2025

The NDIS Commission is committed to protecting the privacy of people engaging in our consultation processes. For more information, you can read our Privacy Policy and Privacy Collection Statement [on our website](#).

Glossary

Current registration model means the current requirements and rules for NDIS providers to register with the NDIS Commission.

Designating an organisation is a law-making process. It means that when making a law, the Government can name the specific organisations the law applies to.

Gigification is a term used to describe changes from traditional employment models to more less secure contract-based work.

Mandatory registration is the requirement for NDIS providers to be registered with the NDIS Commission to deliver particular supports. We are consulting on how to apply this requirement to three additional types of support: Platform Providers, supported independent living (SIL) and support coordination.

Platform Provider is a term used to describe an NDIS provider that uses a profile-based platform (for example an app or website where NDIS Participants and workers create a “profile”) to connect NDIS Participants with workers to deliver NDIS supports. Platform Providers may be registered or unregistered NDIS providers.