

NDIS Provider and Worker Registration Taskforce

Webinar : Questions and Answers

On 4 April 2024, the National Disability Insurance Scheme (NDIS) Provider and Worker Registration Taskforce (the Taskforce) held a live public webinar, to introduce themselves, and the work they are undertaking in the sector.

The following questions were submitted by attendees of the 'Introduction to the Taskforce' webinar. Due to time limitations, the Taskforce were not able to answer these questions during the webinar.

The questions have been copied and pasted in their original form, as received by those who sent them. Where a comment or question related to an individual's situation, it has been repeated, out of courtesy for the individual.

1. If a “no registration” option emerges from the information you gather, would this be presented as one of the options or does it fall outside the terms of reference.

Answer: This does not fall outside of the Terms of Reference and the Taskforce are currently listening to the views of the disability community, providers, academics, and a range of other stakeholders to inform our advice.

2. How will proportionate registration affect self managers who are employing directly....not talking about contract sole traders

Answer: The Taskforce are currently hearing the views and experiences of the community and have not yet formed a view on this, however, recognise that the rights of self-mangers to self-employ is a key area of consideration. Maintaining choice and control in forefront of all our considerations. We encourage you to provide a submission on your views.

3. Will support workers employed by a registered support service also have to be registered?

Answer: The Taskforce are currently hearing the views and experiences of the community and have not yet formed a view on this. We encourage you to provide a submission on your views.

4. How do we stay updated on future webinars? is there a mailing list we can sign up to?

Answer: All events will be advertised here: <https://www.dss.gov.au/disability-and-carers-standards-and-quality-assurance/ndis-provider-and-worker-registration-taskforce>.

5. What happens when we submit a submission?

Answer: All submissions are received the Taskforce. They will, along with support from the Secretariat, review every submission and develop thematic analysis. Submissions are also being read by the Taskforce as they are submitted, and you may be contacted (if you agreed to be) to discuss your submission further. Every submission is appreciated and is critical to the formation of our advice.

6. Will a transcript of the webinar be available?

Answer: A recording is available at <https://www.dss.gov.au/disability-and-carers-standards-and-quality-assurance/ndis-provider-and-worker-registration-taskforce>.

7. Is the auditing still going to be carried out by 3rd parties or is this going to be absorbed back into the NDIA?

Answer: This is something that will be considered as part of the work of the Taskforce. Please provide a submission on this if you have a view.

8. It is currently not possible to be registered for High Intensity supports for the provision of support to people with complex needs and who require intensive behaviour support as there are no 'skill descriptors' available that relate to behavioural support. Will this be addressed in the new registration regime?

Answer: The Taskforce will consider the components of the proposed model, and if you have a view on what should be included in a new registration model, please make a submission as we would like to hear your views.

9. What about those that utilise Plan Management to self employ workers? Is the Taskforce considering these participants and their support arrangements.

Answer: The Taskforce has been asked to consider the proposed model and different arrangements that may be in place, including direct employment, regardless of the financial management of their Plan (i.e. self-managed, plan-managed or agency managed). If you self-employ workers, and want to share how the model would impact you, please make a submission.

10. One of the biggest concerns and barriers to registering for providers is the cost of audits. Is this taskforce best placed to address this and will you be addressing this?

Answer: This is something that will be considered as part of the work of the Taskforce. Please provide a submission on this if you have a view.

11. What engagement is there with the peak advocacy bodies?

Answer: We have specific forums with Disability Representative Organisations (DROs) through all stages of our work; establishment, engagement and testing ideas.

12. How these working groups established? Was their a public process to nominate to sit on these working groups?

Answer: Members of the Advisory Working Groups were invited to participate by the Taskforce members, and have been carefully selected to include government, peak bodies, service providers and people with disabilities.

13. How is this all going to work with the state based worker Registration in Victoria? (<https://www.vdwc.vic.gov.au/disability-worker-registration/>) it all seems very confusing.

Answer: The Taskforce has met with the Victorian Disability Worker Commission. The Taskforce will take account of their role and views when it develops its advice to the Minister.

14. To clarify / confirm, is it expected that people can still self-manage and directly employ, but they would need to choose registered providers only, or the self-

manager could be set up as a registered provider (graduated/proportionate process) so they can have their own employees?

Answer: The Taskforce must ensure that people who are self-managing and directly employing continue to do so. It is not about requiring self-managed participants to use existing registered providers but instead how, if at all, those arrangements can be enrolled or registered. If you have a view on how this might work (or not) for your situation, please let make a submission.

15. Is there likely to be specialised registration requirements for providers who support people with psychosocial disability?

Answer: The proposed model does not distinguish participants on disability type but focuses on registering or enrolling supports and services based on risk. If you think there should be something specific considered for those supporting people with psychosocial disability, let us know via a submission.

16. Will the task force honour the very clear request from a significant proportion of the disability community that want to be able to continue to access UNREGISTERED providers, knowing full well from many decades of lived experience that registration does NOT = safety, efficacy or quality?

Answer: The Taskforce's Terms of Reference make it clear that participant choice and control is central to the Taskforce's work. It is worth highlighting that the terminology and approach to the process of "registration" and "registered providers" that currently exists in the NDIS is quite different in the recommendations of the NDIS Review and how the Taskforce is undertaking its work. The Taskforce is highly unlikely to recommend that under a new regulatory model, participants are only able to access supports delivered by registered providers as they currently exist.

17. Who will be assessing which type of registration each worker/type of job will need? How will this be implemented and reviewed? This is something that will be considered as part of the work of the Taskforce.

Answer: Advice on this is likely to be included in the report to the Minister. Please provide a submission on this if you have a view.

18. Will registration and enrolment be free? This is obviously a concern for service providers who are self employed.

Answer: This is something that will be considered as part of the work of the Taskforce. Advice on this is likely to be included in the report to the Minister. Please provide a submission on this if you have a view.

19. How do you ensure that independent choice and control of NDIS participants not undermined by this registration process?

Answer: Participant choice and control is central to the deliberations of the Taskforce and is a key requirement of the Task Force's Terms of Reference. We are hosting a specific webinar on this topic, and welcome your views.

20. Will there be audits on self employed people?

Answer: This is something that will be considered as part of the work of the Taskforce. Advice on this is likely to be included in the report to the Minister.

21. How do we register for a one on one session?

Answer: To request a one-on-one session you should email your request to: NDISRegistrationTaskforce@dss.gov.au.

22. Why hasn't the taskforce written to ALL NDIS participants to advise them of this process of making submission?

Answer: We have used a mixture of traditional media like newspapers and social media and contact peak bodies, advocacy organisations and community groups to share the opportunity to make a submission. We respect that not all participants will want to make a submission so have put our efforts into where we think participants who will want to provide submissions or meet with us will hear about it.

23. And why doesn't NDIS communicate to ALL participants about significant changes and opportunities to input decision making processes?

Answer: The Taskforce cannot answer for the whole NDIS or NDIA. We can only speak for the engagement on our Terms of Reference. We hope our engagement approach provides different ways for people with diverse views to contribute.

24. Will the Taskforce be meeting with the DRO's and DRCO's, or will the Taskforce be relying on their written submissions?

Answer: Refer above.

25. If my provider does not want to register and I am self managing can I still use them?

Answer: This is something that will be considered as part of the work of the Taskforce. Advice on this is likely to be included in the report to the Minister.

26. Is the taskforce looking to implement a pricing structure for auditors to reduce the current burden of cost to providers in the sector?

Answer: This is something that will be considered as part of the work of the Taskforce. Advice on this is likely to be included in the report to the Minister.

27. Will you be recommending, where a registered provider completes their recertification process and has only minor non-conformances, that the NDIS Q & S commission update their website to reflect that we are a current registered provider, instead of showing us as expired?

Answer: The Taskforce may consider the adequacies of existing processes but more so is focussed on the proposed model and future state.

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- 28. Can you please briefly explain what does this mean in practice "removing the link between" Amend the National Disability Insurance Scheme Act 2013 to remove the link between a participant's financial management of their plan and the regulatory status of their support providers (17.3).**

Answer: Currently, if a participant is NDIA managed, they can only use registered providers. Self-managed and plan-managed participants can use registered or unregistered providers. The NDIS Review said that it shouldn't matter how you manage your plan and all providers should be registered.

- 29. Mandatory registration is NOT SAFE. How can the task force act to communicate this FACT to the Minister?**

Answer: We will tell the Minister what we hear from the disability community. Please make a submission to tell us about your views or experiences.

- 30. Are you recommending that individual support workers have some kind of registration. Perhaps a form of verification?**

Answer: This is something that will be considered as part of the work of the Taskforce. Advice on this is likely to be included in the report to the Minister.

- 31. Has there been an explicit recognition that the current system has been a failure? If so will the Taskforce avoid advice to merely update or tweak the current system? This is critical for family based models of support and provision that are not structured nor should be regulated in the similar mode as large traditional providers?**

The NDIS Review recognised that the current approach is not fit for purpose – and recommended a new graduated risk-proportionate regulatory model replace the current system. The Taskforce is still consulting and considering options for the future. The Taskforce's recommendation to a future approach will not be a minor update or tweak to the existing system, recognising that even the proposed model is not a minor update to the existing system.

- 32. APHRA doesn't monitor things such as the Early Childhood Quality Indicators in the Practice Standards.**

Answer: The Taskforce has noted this.

- 33. What factors are you looking at when determining supports into each of the proposed categories of registration? We would like submissions and feedback on what factors could determine supports into the proposed categories, please provide your input. Will your recommendations be taking into account the cost of implementing the potential model/s that are put forward?**

Answer: Yes.

- 34. Team, please elaborate on how service for one and direct employees will be handled so as to continue with these bespoke supports for complex PWD.**

The Terms of Reference require the Taskforce to consider how these arrangements can continue. We are asking for submissions, requests to meet and are holding a roundtable on



this topic. To ensure our advice is built upon lived experience and current arrangements, please engage with us.

- 35. There is so much concern about change within the NDIS for participants and there are a lot of people who are unsettled by all the possible changes, is there going to be an importance on education and transition for our vulnerable community?**

Answer: This is a matter for Government and for them to consider in implementation of our advice.

- 36. Will this change the arrangements with the commission with regard to restrictive practices.**

Answer: This is a matter for Government and for them to consider in implementation of our advice.

- 37. Can we have a simple 1 pager check document that I would present to an ABN worker that I can upload to the NDIS Safeguard and Quality Commission?**

Answer: This is an example of a solution that the Taskforce is interested in hearing. Please make a submission to share your input in more details.

- 38. There is concern in the sector that the Minister has said Support Coordination will be abolished. He has proposed "navigators" employed by a NGO. Will you be considering registration for support coordination in your taskforce? Or is it accepted that Support Coordination is ending?**

Answer: This is something that will be considered as part of the work of the Taskforce. This is also a subject that may be affected by the response to other recommendations of the NDIS Review that are outside the scope of the work of the Taskforce.

- 39. Will the Taskforce address the lucrative selling of NDIS registered businesses? People are selling these businesses and buyers are not going through the audit, just simply changing key personnel.**

Answer: This is something that has not been a focus for the Taskforce's work to date. The Taskforce thanks you for this question and will give it further thought. Registered NDIS providers must notify the NDIS Commission of significant changes and events.

- 40. There is a lot of fear around the potential regulation etc. Does the Taskforce have a comms plan around addressing this?**

Answer: This is a matter for Government and for them to consider in implementation of our advice.

- 41. Can you please explain your concept of a "supplier" and a "provider"?**

Answer: The Taskforce is currently developing its thoughts on these concepts. A provider is currently defined by the NDIS Act as a person or organisation that delivers a service or services to a NDIS participant that is funded from a NDIS Plan. A supplier is not defined by the NDIS Act, but could be seen as a person or organisation that supplies a product or item of equipment to a NDIS participant that is funded from a NDIS Plan.

- 42. New and Established Provider Registration requires significant and ongoing financial commitments i.e. insurance, audit obligations, information security protections (technology expenses and solutions) and many other expenses to manage risks to Participants, Staff and themselves. If Provider Registration becomes mandatory, are there any incentives and supports being considered to help with these significant costs?**

Answer: This is something that will be considered by the Taskforce. If you have thoughts on what this might look like, we encourage you to make a submission.

- 43. Will enrolled people need to have a worker screening?**

Answer: This is something that will be considered as part of the work of the Taskforce. Advice on this is likely to be included in the report to the Minister. Please provide a submission on this if you have a view.

- 44. For the question regarding DRO's and DRCO's there is a limited number of DRO's as funded by DSS versus 27 plus DRCO's that work with the NDIA on reforms. So will you be scheduling roundtables with the DRCO's also?**

Answer: We are meeting with DROs and DRCOs in specific fora throughout our work.

- 45. I work with a lot of participants/providers and families who wouldn't even know they are able to make submissions and have a voice. Just wondering if there's more thought about how to educate and make this more accessible for the public especially those who need to have a voice but may not be so internet savvy or have the capacity to be online to know to do this?**

Answer: We are working with DROs, peak bodies and community organisations to raise awareness of our work. We are also holding different engagement fora such as roundtables and requests to meet so that people can make contributions that best suit their needs.

- 46. Schools who provide personal care to people with disability, Would they become registered?**

Answer: The scope of who would be subject to registration or enrolment is currently under consideration. If you have thoughts on this, please let us know.

- 47. How new registration regime will impact already registered providers or providers who are waiting for registration now?**

Answer: This is something that will be considered as part of the work of the Taskforce. Advice on this is likely to be included in the report to the Minister. Please provide a submission on this if you have a view.

- 48. What about services that provides services that have regulated bodies AND unregulated professions. For example, Occupational therapy (AHPRA) and Allied Health Assistants?**

Answer: This is something that will be considered as part of the work of the Taskforce. Advice on this is likely to be included in the report to the Minister. Please provide a submission on this if you have a view.

49. If there would be more enrolments and registration would there be a quicker process of approval for registration after audit?

Answer: This is something that will be considered as part of the work of the Taskforce. Advice on this is likely to be included in the report to the Minister. Please provide a submission on this if you have a view.

50. Will this recording [of the webinar] be sent to us?

Answer: A recording is available at <https://www.dss.gov.au/disability-and-carers-standards-and-quality-assurance/ndis-provider-and-worker-registration-taskforce> .

51. Will the taskforce be looking at how services will be delivered in a safe way balanced with upholding the rights of pwd and how they can be including in society. EG: If a pwd accesses a registered provider, how is this registered provider building capacity for this individual to access mainstream services and goods. Its important to keep people safe but its also important we empower people to be accessing all supports and services.

Answer: Yes.

52. Is the taskforce looking to implement a pricing structure for auditors to reduce the current burden of cost to providers in the sector?

Answer: This is something that will be considered as part of the work of the Taskforce. Advice on this is likely to be included in the report to the Minister. Please provide a submission on this if you have a view.

53. If all direct support workers are required to be registered/enrolled do you know how many people that will be?

Answer: No. This is something that is still subject to consideration and the options for design of the regulatory approach.

54. Since this work has been triggered by the Government wanting to reduce costs for the scheme, what happens if we introduce changes such as registration that supposedly reduce the cost of the scheme, and it doesn't. Will the Government push us for each more changes?

Answer: The Taskforce cannot speak for government but recognises that Scheme sustainability is one component of ensuring that the NDIS works well for everyone.

55. Will registration (provider and workers) only be applicable for those receiving NDIS supports - tier 3, or will it be relevant for those providing services just in the foundational or mainstream space.

Answer: The NDIS Review recommended that registration apply to all providers which would include anywhere Participants spend money, including foundational supports. The Taskforce is considering what this will look like and any consequences of doing so.

56. Will support workers employed by a registered support service also have to be registered/enrolled?

Answer: This is something that will be considered as part of the work of the Taskforce. Advice on this is likely to be included in the report to the Minister. Please provide a submission on this if you have a view.

57. Would you consider a two-way compliance and governance approach? What I mean by this, is the disabled person and their supporters can create (and submit for review if necessary) their own bespoke frameworks. We know our support needs best, and where capable, we can manage our own support arrangements exceptionally well. To assume we do not understand regulation, including how to keep our support workers safe and supported, reduces our capacity to live our best life.

Answer: If you have more information/detail on what you have in mind - we would appreciate it if you could provide it to the Taskforce or include it in a submission.

58. Is there a way to see which peak bodies have already made a submission?

Answer: All submissions will be considered in preparing our advice. We will not be making public a list of all submissions.

59. What is the timeframe for registration to be rolled out? How will this impact unregistered providers currently supporting participants?

The timeframe for implementation of a new approach is a matter for Government to determine after it has had time to consider the Taskforce's report and recommendations.

60. Is it worthwhile for a support coordinator to go through the time effort and cost in getting registered today?

Answer: This is something for each person/organisation to consider. It is not something that the Taskforce can provide advice on.

61. The research evidence shows registration (accreditation and audit) although it can impact org internal processes is not effective for safety and quality in frontline practices. Why spend so much on a fundamentally flawed strategy when the research evidence shows there are more effective strategies?

Answer: The Taskforce are currently hearing the views and experiences of the community and have not yet formed a view on this. The Taskforce is considering all views, relevant research, and will be assessing different options to inform the design of the future regulatory approach. We encourage you to provide a submission on your views – including any relevant evidence to support your views.