

Provider Registration Guide to Suitability

July 2018

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1. Provider Toolkit

The provider toolkit is designed for organisations and individuals who want to learn more about working with the National Disability Insurance Scheme (NDIS). The provider toolkit can be accessed from the provider section of the NDIS webpage (<https://providertoolkit.ndis.gov.au/>).

2. Version Control

| DATE AMENDED | VERSION NUMBER AMENDED | KEY CHANGES | NEW VERSION NUMBER |
|------------------|------------------------|--|--------------------|
| 30 June 2016 | V 1.0 | Updated with Vic and NSW content | V 1.01 |
| 24 August 2016 | V 1.01 | Formatting changes | V 1.02 |
| 30 August 2016 | V 1.02 | Updates to professions section | V 1.03 |
| 30 August 2016 | V 1.03 | Spelling and formatting changes throughout for consistency. Minor rewording and clarification throughout. | V 1.04 |
| 20 December 2016 | V 1.04 | Refined content from jurisdictions. New content for NT. Updated introductory section to increase clarity and readability. | V 1.05 |
| 22 June 2017 | V 1.05 | Updated content to the NSW, VIC and QLD jurisdiction sections. Updated contact details in ACT jurisdiction section. Minor rewording and clarification throughout, including professions section. | V 1.06 |
| 1 November 2017 | V 1.06 | New information regarding Aboriginal Health Workers (Profession). New content for SA. New section on requirements of Commonwealth providers. Minor rewording and formatting changes throughout for consistency. | V 1.07 |
| July 2018 | V 1.07 | Updated content to NSW, SA, QLD, TAS, NT, VIC and Commonwealth jurisdictional sections. New WA section. New requirements of providers of employment supports. Clarifications to Hearing Services and Specialised Hearing Services registration groups. Clarification to profession requirement for Custom Prosthetics. Updated accreditation requirements for Interpreters and Translators. Clarification that profession Disability Support Worker includes Mental Health and Peer Workers. Minor corrections throughout. | V 1.08 |

3. Introduction

It is important that a 'whole of system' approach is taken to the quality and safeguards for participants. Safeguarding people with disability from abuse, harm and neglect is every disability service provider's responsibility and must be an important part of everyday practice. People with disability should also have access to high quality supports.

The Provider Guide to Suitability provides information to assist providers to understand their quality, safeguards and compliance obligations as providers of supports funded through the NDIS. During transition, and until these arrangements are replaced by a single National Quality and Safeguards Framework, providers of NDIS supports (providers) are required to comply with existing Commonwealth, State and Territory standards and legislation. All providers need to manage their own compliance obligations and ensure they meet or exceed the relevant requirements specified to each jurisdiction.

Quality and Safeguards of disability supports remains the responsibility of the Commonwealth, States and Territories during transition. Different supports have different levels of risk associated with their delivery. To minimise risk, enhance outcomes and maximise the social and economic participation of people with disability, there are specific experience, qualifications, processes and expertise required of providers. As the quality and safeguards arrangements differ between jurisdictions, providers must comply with the individual requirements of each jurisdiction in which they are providing supports. For example, where a provider is supporting participants in Victoria and South Australia, the provider must comply with the quality and safeguards requirements of both Victoria and South Australia.

The [NDIS Price Guide](#) describes items that can be funded through a participant's plan. To ensure that providers do not need to register to provide individual support items, the support items have been grouped into 'Registration Groups' where the Quality and Safeguards requirements to provide the supports are similar. The specific Quality and Safeguards requirements for each of these registration groups can be determined by reading through the information in sections four to seven in conjunction with the relevant requirements specific to each jurisdiction.

Details about each of the registration groups is provided in sections four to seven. Providers need to consider which registration groups are relevant to them, and ensure they understand and comply with the quality and safeguarding requirements for the registration group and for each jurisdiction in which they intend to register.

This guide will be updated as needed to reflect any changes to transition arrangements.

A Note about ‘Professions’ and ‘Additional Requirements’

Certain supports are required to be provided by people with specific qualifications and experience; these supports are priced accordingly and include expectations about outcomes. The professions listed in the tables that follow reflect the expectations of jurisdictions and NDIS in this regard. For example, it is expected that Physiotherapy is provided by an AHPRA registered Physiotherapist. Some states and territories will also require professions to meet other additional requirements for some registration groups.

This document describes the minimum registration requirements for registered providers delivering each relevant support. As outlined in the NDIA Terms of Business, providers must ensure that they possess the relevant experience and understanding of working with people with disability in order to deliver high quality supports and to ensure that they are always able to act in the interests of participants.

Further information can be found in the relevant state or territory section of this guide. Please contact provider.registration@ndis.gov.au for advice about qualifications or experience not listed.

4. Registration Groups

Providers wishing to register for the below Registration Groups must:

- Be registered, approved and compliant with the requirements for registration or approval as a Specialist Disability Service, Community Care or Home and Community Care provider as determined by each jurisdiction in which the provider is delivering supports.
- Submit evidence of this registration, approval and compliance issued by the jurisdiction, or authorised third party verification body (as determined by each jurisdiction), for which they have applied to deliver supports. This evidence document must state the services that the provider is currently providing, or is authorised to provide under the NDIS. See each relevant state or territory section in this document for further details about evidence and/or third party verification arrangements;
- Ensure that they possess and are able to demonstrate sufficient experience working with people with disability to deliver more specialist registration groups.

New providers or existing providers wishing to expand their services should refer to the relevant Commonwealth, state or territory requirements in this document. NDIS registration to deliver the relevant service will be completed only once these requirements are met. NDIS registrations are not retrospective: registration is effective from the date on the NDIS Provider Registration Certificate. Services delivered prior to this registration date are not funded.

Please note: Where square brackets appear in the table below, this indicates the abbreviated name of the registration group that appears in *myplace*.

| Registration group | No. | Professions | Additional Guidance |
|--|------|--|---|
| <p>Assistance to Access and Maintain Employment or higher education [Assist Access/Maintain Employ]</p> <p>Workplace assistance enables a participant to successfully obtain and/or retain employment in the open or supported labour market. Includes:</p> <ul style="list-style-type: none"> • individual employment support | 0102 | <ul style="list-style-type: none"> • Developmental Educator • Teacher • Disability Support Worker (includes Mental Health or Peer Worker) | Commonwealth Quality and Safeguards arrangements may apply, including certification against the National Standards for Disability Services (NSDS) via the Human Services Scheme |

| Registration group | No. | Professions | Additional Guidance |
|--|------|---|---|
| <ul style="list-style-type: none"> • employment preparation and support in a group • school leaver employment supports • transition through school and to further education | | <ul style="list-style-type: none"> • Social Worker • Welfare worker • Aboriginal Health Worker | (part 3 (DEES). Please see jurisdictional section for further detail. |
| <p>Development of Daily Living and Life Skills [Development-Life Skills]</p> <p>Development of daily living and life skills focuses on training and development activities undertaken by the participant or their carer to increase their ability to live as autonomously as possible, including supports that will enhance the ability of the participant to travel and use public transport independently.</p> | 0117 | <ul style="list-style-type: none"> • Disability Support Worker (includes Mental Health or Peer Worker) • Welfare worker • Aboriginal Health Worker | |
| <p>Daily Personal Activities</p> <p>Assisting with and/or supervising personal tasks of daily life to enable the participant to live as autonomously as possible. These individual supports can be provided in a range of environments, including but not limited to, the participant's own home.</p> | 0107 | <ul style="list-style-type: none"> • Disability Support Worker (includes Mental Health or Peer Worker) • Welfare worker • Aboriginal Health Worker | |
| <p>High Intensity Daily Personal Activities</p> <p>Assisting with and/or supervising personal tasks of daily life to enable the participant to live as autonomously as possible. These supports are provided by a worker with additional qualifications and experience relevant to the participants' complex needs. These individual supports can be provided in a range of environments, including but not limited to, the participant's own home.</p> | 0104 | <ul style="list-style-type: none"> • Disability Support Worker (includes Mental Health or Peer Worker) • Welfare worker • Aboriginal Health Worker | Relevant specialist skill sets and experience may be required, such as behaviour support, suctioning etc. |

| Registration group | No. | Professions | Additional Guidance |
|--|------|---|--|
| <p>Assistance with daily life tasks in a group or shared living arrangement [Daily Tasks/Shared Living]</p> <p>This registration group incorporates assistance with and/or supervising tasks of daily life in a shared living environment, which is either temporary or ongoing, with a focus on developing the skills of each individual to live as autonomously as possible. This registration group includes short-term accommodation and assistance (e.g. respite care)</p> | 0115 | <ul style="list-style-type: none"> • Disability Support Worker (includes Mental Health or Peer Worker) • Welfare worker • Aboriginal Health Worker | |
| <p>Participation in community, social and civic activities [Participate Community]</p> <p>Assisting participants to participate actively in community, social and civic activities; includes supporting participants during these activities, and developing participants' ability to partake in these activities.</p> | 0125 | <ul style="list-style-type: none"> • Disability Support Worker (includes Mental Health or Peer Worker) • Welfare worker • Developmental Educator • Aboriginal Health Worker | |
| <p>Group and Centre Based Activities [Group/Centre Activities]</p> <p>Assisting participants to participate in group based community, social and recreational activities.</p> | 0136 | <ul style="list-style-type: none"> • Disability Support Worker (includes Mental Health or Peer Worker) • Welfare worker • Social Worker • Developmental Educator | |
| <p>Specialist Disability Accommodation</p> <p>Please see SDA webpage for further information</p> | 0131 | | For further information, please refer to the SDA Guide to Suitability located on the SDA |

| Registration group | No. | Professions | Additional Guidance |
|--|------|--|--|
| | | | registration and dwelling enrolment page of the NDIS website |
| <p>Management of Funding for Supports [Plan Management]</p> <p>Plan management is the financial management of the plan supports including making payments to providers, expense claims processing, providing monthly statements for participants and claiming for payment from NDIA.</p> <p>Financial Intermediary funding applies to registered plan management providers who deliver plan management supports.</p> <p>A financial intermediary will typically possess good knowledge of providers and supports, developed through strong connections in the relevant community.</p> | 0127 | <ul style="list-style-type: none"> Accountant / Bookkeeper | <p>For further information, please refer to the section in this document for the state or territory in which you intend to provide supports.</p> |
| <p>Assistance in coordinating or managing life stages, transition and supports [Assist-Life Stage, Transition]</p> <p>This registration group includes short and long-term supports that focus on strengthening the participant's ability to coordinate their supports, and to assist them to live at home and participate in their community. Includes:</p> <ul style="list-style-type: none"> support connection coordination of supports assistance with accommodation and tenancy obligations | 0106 | <ul style="list-style-type: none"> Disability Support Worker (includes Mental Health or Peer Worker) Welfare worker Developmental Educator Social Worker Aboriginal Health Worker | |

| Registration group | No. | Professions | Additional Guidance |
|---|------|--|--|
| <ul style="list-style-type: none"> Life transition planning including mentoring, peer support and individual skill development assistance with decision making, daily planning, budgeting | | | |
| Specialised Supported Employment Assistance in specialised supported employment/ADE | 0133 | <ul style="list-style-type: none"> Disability Support Worker (includes Mental Health or Peer Worker) Welfare Worker Teacher Aboriginal Health Worker | Commonwealth Quality and Safeguards arrangements apply, including certification against the National Standards for Disability Services (NSDS) via the Human Services Scheme (part 3 (DEES)). |
| Accommodation/Tenancy Assistance [Accommodation/Tenancy] Includes transition supports only | 0101 | <ul style="list-style-type: none"> Social Worker Welfare Worker Other | |
| Assistance with Travel/Transport arrangements Includes rental of adapted vehicle | 0108 | <ul style="list-style-type: none"> Taxi/Bus driver Other | |
| Household tasks Essential tasks that the participant is not able to undertake: meal preparation and delivery, house or yard maintenance, cleaning and linen). | 0120 | <ul style="list-style-type: none"> Cleaner Gardener Other | |
| Assistance Animals Further information is being finalised. | 0130 | <ul style="list-style-type: none"> Other | |

| Registration group | No. | Professions | Additional Guidance |
|---|------|--|---|
| Specialised Driver Training Driver training using adapted equipment or vehicle modification. | 0129 | <ul style="list-style-type: none"> Driving Instructor | Licensed driving instructor with experience in providing training to people with disability and in the use of adapted vehicles. |
| Innovative Community Participation Activities not included under other community participation registration groups; for mainstream providers who want to enable participants to access mainstream activities. | 0116 | <ul style="list-style-type: none"> Other | |

5. Professional Registration Groups

The following registration groups require specific professional qualifications and experience as a prerequisite to provide these supports under the NDIS. This is because these supports require specific skills and experience to be safely provided. Professionals who wish to provide specialist disability supports must also comply with Quality and Safeguards requirements of the relevant state/territories.

Additional requirements apply for some services in some jurisdictions. Please refer to the relevant section for the state or territory in which you are providing or intend to provide, supports.

| Registration Group | No. | Professions | Additional Guidance |
|---|------|---|--|
| <p>Specialist Positive Behaviour Support [Behaviour Support]</p> <p>Specialised Positive Behaviour Support registration group includes support items provided by allied health professionals with specialist skills in positive behaviour support including assessment and the development of a comprehensive plan that aims to reduce and manage behaviours of concern.</p> | 0110 | <ul style="list-style-type: none"> Occupational Therapist Psychologist Social Worker Other health professional <p>Note: Some jurisdictions have different professional requirements for this registration group. Please refer to the relevant section for the state or territory in which you are providing or intend to provide.</p> | <p>Experience in professional / clinician supervision and development as defined by the professional registration requirements of the relevant profession.</p> <p>Note: Some jurisdictions have additional requirements for providers of this registration group. Please refer to the relevant section for the state or territory in which you are providing or intend to provide.</p> |

| Registration Group | No. | Professions | Additional Guidance |
|--|------|--|---|
| <p>Community Nursing Care</p> <p>This is the provision of specialist care for participants who have high care needs requiring a high level of skill, and for the training of support workers to respond to the participant's complex needs.</p> | 0114 | <ul style="list-style-type: none"> Registered Nurse | Experience in professional / clinician supervision and development as defined by the professional registration requirements of the relevant profession. |
| <p>Interpreting and Translation [Interpret/Translate]</p> <p>Interpreting and translation focuses on assistance to the participant to enable independent communication in essential personal, social or community activities where translation is not available from a mainstream service.</p> | 0121 | <ul style="list-style-type: none"> Interpreter/Translator | NAATI accreditation as Certified or Recognised Practising Interpreter or Translator and experience working with people with disability. |
| <p>Early Intervention Supports for Early Childhood [Early Childhood Supports]</p> <p>Provision of a mix of therapies, and a key worker for the family. Supports all children 0-6 years with developmental delay or disability and their families to achieve better long-term outcomes, regardless of diagnosis. All children and families will be treated as individuals to ensure that they receive the right support to meet their goals and aspirations. The type of supports will be different for every child and their family according to their needs.</p> | 0118 | <ul style="list-style-type: none"> Occupational Therapist Psychologist Physiotherapist Social Worker Speech Pathologist Teacher Developmental Educator Audiologist Music Therapist Counsellor Art Therapist Orthoptist Podiatrist | Experience in early childhood interventions with children with disability AND Experience in providing service within a trans disciplinary framework. |

| Registration Group | No. | Professions | Additional Guidance |
|---|------|---|---|
| <p>Custom Protheses and Orthoses [Custom Prosthetics]</p> <p>Prescription and manufacture of customised protheses or orthoses requiring specialist skills.</p> | 0135 | <ul style="list-style-type: none"> • Occupational Therapist • Pedorthist • Podiatrist • Orthotist/Prosthetist • Physiotherapist | <p>Experience relevant to the specific customised technology you wish to provide or assess. Further information is under development.</p> |
| <p>Support Co-ordination</p> <p>The provision of Support Coordination within a specialist framework necessitated by specific high level risks in the participant's situation. Support is time limited and focuses on addressing barriers and reducing complexity in the support environment, while assisting the participant to connect with supports and build capacity and resilience. It may also involve development of an intervention plan which will be put in place by disability support workers.</p> | 0132 | <ul style="list-style-type: none"> • Psychologist • Occupational Therapist • Social Worker • Other allied health, developmental educator, social or health science professional | <p>Experience in support coordination for people with complex needs</p> |

| Registration Group | No. | Professions | Additional Guidance |
|--|------|--|---|
| <p>Therapeutic supports</p> <p>Therapeutic supports are provided to assist participants aged from 7 years to apply their functional skills to improve participation and independence in daily, practical activities in areas such as language and communication, personal care, mobility and movement, interpersonal interactions and community living.</p> | 0128 | <ul style="list-style-type: none"> • Art Therapist • Audiologist • Orthoptist • Counsellor • Music Therapist • Occupational Therapist • Podiatrist • Psychologist • Physiotherapist • Social Worker • Speech and Language Pathologist • Developmental Educator • Dietician • Rehabilitation Counsellor | Experience in professional / clinician supervision and development as defined by the professional registration requirements of the relevant profession. |
| <p>Exercise Physiology & Personal Well-being Activities [Ex Phys Pers Training]</p> <p>Physical wellbeing activities promote and encourage physical well-being, including exercise.</p> | 0126 | <ul style="list-style-type: none"> • Exercise Physiologist • Personal Trainer | |
| <p>Specialised Hearing Services</p> <p>This registration group is for future use for specialised hearing services for children and adults with complex needs. These services are currently provided through the Hearing</p> | 0119 | <ul style="list-style-type: none"> • Audiologist | Additional information about the NDIS and the Hearing Services Program is available by clicking here |

| Registration Group | No. | Professions | Additional Guidance |
|---|------|---|--|
| Services Program only and this registration group is not available for registration. | | | |
| Hearing Services This registration group is for future use for hearing services. These services are currently provided through the Hearing Services Program only and this registration group is not available for registration. | 0134 | <ul style="list-style-type: none"> • Audiologist • Audiometrist | Additional information about the NDIS and the Hearing Services Program is available by clicking here |

6. Home and Vehicle Modification Registration Groups

Providers of these Registration Groups must provide evidence of current accreditation or licensing by the relevant state or territory authority to undertake building, engineering or mechanical work. It is important that providers of these supports are appropriately licensed and accredited to modify participants' homes and equipment, to ensure NDIA participants are receiving value for money and quality services. The expertise required to provide these supports is different from the expertise required to provide supports within other registration groups.

| Registration Group | No. | Professions | Additional Guidance |
|---|------|--|--|
| Home Modification Design and Construction [Home Modification] This registration group incorporates design and subsequent changes to the participant's home. Home modification design and construction includes installation of equipment or changes | 0111 | <ul style="list-style-type: none"> • Architect • Builder • Building Inspector / Works Assessor • Building Surveyor • Building Work Supervisor | Experience and understanding of concepts and limitations of AS 1428 and other disability access standards and their application in accordance with a |

| Registration Group | No. | Professions | Additional Guidance |
|--|------|--|--|
| to building structures, fixture or fittings to enable participants to live as independently as possible or to live safely at home. | | <ul style="list-style-type: none"> • Building Work Project Manager • Carpenter / Joiner • Electrician • Plumber / Gas Fitter / Drainer • Tiler • Occupational Therapist • Rehabilitation Engineer | <p>person's needs and specifications of plans.</p> <p>Must hold current license or registration in the relevant State or Territory</p> |
| <p>Vehicle modifications</p> <p>Vehicle modifications include the installation of, or changes to, equipment in a vehicle to enable a participant to travel safely as a passenger or to drive.</p> | 0109 | <ul style="list-style-type: none"> • Mechanic • Engineer | <p>Experience modifying vehicles to comply with Australian Design Rules and Standards. Must hold current license or registration in the relevant State or Territory.</p> |

7. Assistive Technology and Equipment Registration Groups

Registration Groups relating to equipment and assistive technology often require diverse expertise to meet the needs of participants. Note that some equipment must be **prescribed** by appropriate allied health professions, but can be **sold** by retail providers.

| Registration Group | No. | Professions | Additional Guidance |
|---|------|---|--|
| Assistive Equipment for Recreation Products used in competitive and non-competitive sports and other recreational pursuits. | 0112 | <ul style="list-style-type: none"> Other | Relevant product knowledge and experience working with people with disability. |
| Assistive Products for Household Tasks Products to enable cooking, cleaning, washing, home maintenance and other tasks. | 0123 | <ul style="list-style-type: none"> Other | Relevant product knowledge and experience working with people with disability. |
| Assist Products for Personal Care and Safety Products for personal care or safety including beds and pressure mattresses, toilet and bathroom equipment, specialised clothing and continence needs. | 0103 | <ul style="list-style-type: none"> Other | Relevant product knowledge and experience working with people with disability. |
| Communications & Information Equipment Products to assist with alternate communication or to access written or spoken communication via electronic or other means. | 0124 | <ul style="list-style-type: none"> Other | Relevant product knowledge and experience working with people with disability. |
| Hearing Equipment Assistive listening devices (not hearing aids). | 0122 | <ul style="list-style-type: none"> Other | Relevant product knowledge and experience working with people with disability. |
| Personal Mobility Equipment Products to enable mobility, such as equipment for walking, wheelchairs and transfer aids. | 0105 | <ul style="list-style-type: none"> Other | Relevant product knowledge and experience working with people with disability. |

| Registration Group | No. | Professions | Additional Guidance |
|---|------|---|--|
| Vision Equipment Products for navigation, orientation, braille, guide dogs, magnifiers and note taking equipment. | 0113 | <ul style="list-style-type: none"> Other | Relevant product knowledge and experience working with people with disability. |

8. Professional Qualifications

Some supports must be delivered by people with specific qualifications, experience or licensing. Some professions (e.g., those regulated under AHPRA) also require registration or certification independent of any requirements relating to disability services. The table below outlines a list of professions and the usual expectation about qualifications or credentialing, for registration purposes. For example, where the profession is listed as “Physiotherapist”, the provider is declaring as part of the registration process that they are a qualified and AHPRA registered Physiotherapist. Some states and territories will also require professions to meet other additional requirements for some registration groups. You can find further information in the relevant state or territory section in this guide. You can contact provider.registration@NDIS.gov.au for advice about qualifications or experience not listed.

The following health professions are regulated and must hold current AHPRA registration:

- Registered Nurse
- Occupational Therapist
- Physiotherapist
- Podiatrist
- Psychologist

The following professions must meet the registration or certification requirements of the relevant State or Territory:

- Architect
- Builder
- Build Inspector/Works Assessor
- Building Surveyor
- Building Work Supervisor
- Building Work Project Manager
- Carpenter/Joiner
- Electrician
- Plumber/Gas Fitter/Drainer
- Tiler
- Mechanic
- Teacher

Other professions:

- **Integration Aide:** Check the requirements in your jurisdiction: Certificate III or IV in Education Support or equivalent may be required.
- **Disability Support Worker:** Check the requirements in your jurisdiction. Relevant industry experience or qualifications including Certificate III, Certificate IV, Diploma, or Advanced Diploma in Disability, Mental health, Welfare, Mental Health Peer Work etc., may be required.
- **Aboriginal Health Worker:** Certificate IV in Aboriginal and/or Torres Strait Islander Primary Health Care Practice, or equivalent as determined by the Aboriginal and Torres Strait Island Health Practice Board of Australia.
- **'Other'**- no specific requirements.

The following professions must hold current membership of the relevant professional association:

| Profession name | Professional qualifications or membership (all qualifications and memberships must be current) |
|------------------------|--|
| Audiologist | Audiology Australia accredited Audiologist or Audiologist member of <i>ACAud</i> |
| Dietitian | Accredited Practising Dietitian with the Dietitians Association of Australia |
| Orthoptist | Registration with the Australian Orthoptic Board |
| Orthotist | Membership with the Australian Orthotic Prosthetic Association and/or recognition by a state/territory orthotic program as a qualified orthotic practitioner |
| Pedorthist | Registration with the Australian Register of Pedorthists |
| Prosthetist | Membership with the Australian Orthotic Prosthetic Association and/or recognition by a state/territory prosthetic program as a qualified prosthetic practitioner |
| Speech Pathologist | Practicing membership with Speech Pathology Australia |

| Profession name | Professional qualifications or membership (all qualifications and memberships must be current) |
|---------------------------|---|
| Audiometrist | Membership with the Hearing Aid Audiometrist Society of Australia or audiometrist member of <i>ACAud</i> equivalent |
| Art Therapist | Membership with the Australia New Zealand Arts Therapy Association (ANZATA) |
| Developmental Educator | Full membership of Developmental Educators Australia Inc (DEAI) |
| Exercise Physiologist | Accredited exercise physiologist with Exercise and Sports Science Australia (ESSA) |
| Interpreter/Translator | Certified or Recognised Practising Interpreter or Translator with the National Accreditation Authority for Translators and Interpreters Ltd (NAATI) |
| Music Therapist | Active “Registered Music Therapist” with the Australian Music Therapy Association |
| Social Worker | Membership with Australian Association of Social Workers |
| Rehabilitation Counsellor | Membership with the Australian Society of Rehabilitation Counsellors Inc or equivalent |
| Welfare Worker | Membership with the Australian Community Workers Association or equivalent |
| Counsellor | Membership with the Australian Counselling Association or equivalent |
| Personal Trainer | Personal training qualification, Certificate III, IV or Diploma in Fitness or equivalent |
| Accountant/Book-keeper | membership with ATMA, AAT, CBK, ACCA, ABAL, CPA, ICB, IPA or CAANZ or equivalent |
| Rehabilitation Engineer | Chartered Professional Membership with Engineers Australia |
| Aboriginal Health Worker | Registration with the Aboriginal and Torres Strait Islander Health Practice Board of Australia. |

9. State and Territory Requirements for Specialist Disability Providers

Summary

Each state and territory has a quality and safeguards system that was designed to meet the specific needs of that jurisdiction under historical funding arrangements and state and territory legislative frameworks. In addition to the expected professional requirements and expertise outlined above, providers must satisfy and comply with quality and safeguarding requirements relevant to the state or territory in which they are providing service.

Please see below a jurisdiction-by-jurisdiction breakdown of requirements.

Note: the outline below lists only those requirements specific to disability services providers. It does not contain other legislation including but not limited to commercial, health and safety, corporate, tax, or other legislation and requirements that may be applicable to each jurisdiction and with which providers may be expected to comply.

Note: These arrangements have been agreed by the Commonwealth, NDIA and jurisdictions as those which will apply during transition to the full scheme NDIS. Governments are aware that the requirements between jurisdictions are not always consistent and that significant effort is required where providers are operating in multiple states and territories. A National Quality and Safeguards Framework is under development which will ultimately replace this approach.

Important Notice:

Instructions for how to **commence your application** for approval as a specialist disability service provider with each State/Territory is detailed at the following location: <https://ndis.gov.au/providers/psa.html>. It is very important that you read and follow these instructions, in conjunction with the requirements of new disability service providers provided below, as in most cases providers are required to complete an application with the NDIA before contacting the relevant State/Territory.

9.1 Requirements for new specialist disability providers in South Australia

The NDIS Quality and Safeguards Commission (NDIS Commission) — a new independent Commonwealth body — commenced operations in South Australia on 1 July 2018.

The NDIS Commission is responsible for the registration and regulation of NDIS providers in South Australia, a function previously performed by the NDIA and South Australian Government.

The NDIA will no longer approve registration applications for providers in South Australia. Instead, applications for registration as a provider should be made to the Commission via www.ndiscommission.gov.au.

For more information on the NDIS Commission please visit www.ndiscommission.gov.au.

South Australian providers will continue to interact with the NDIA for a range of functions including service bookings, payment requests, and viewing participants' plans in the myplace portal.

9.2 Requirements for new and existing disability providers in Queensland

9.2.1 Quality and Safeguards for providers of prescribed disability services

Queensland's existing quality and safeguard framework is a robust mix of legislative and non-legislative measures. Until the national NDIS Quality and Safeguards Framework is in place, or until 30 June 2019, whichever is sooner, Queensland's existing quality and safeguard framework will apply to providers registering with the NDIA to deliver **prescribed disability services** in Queensland.

Non-legislative safeguards

The following non-legislative safeguards apply to providers **delivering prescribed disability services identified on a NDIS participant's plan** in Queensland. Providers must:

- show evidence of compliance with the [Queensland Human Services Quality Framework](#) and
- have, maintain, implement and act in accordance with policies consistent with the Queensland state government [Abuse, Neglect and Exploitation Policy](#).

Queensland Human Services Quality Framework

Queensland's Human Services Quality Framework is the quality assurance framework that applies to all providers **delivering prescribed disability services identified on a NDIS participant's plan** in Queensland. Prescribed disability services are those listed in the *Disability Services Regulation*.

It is a system for assessing and improving the quality of human services and for promoting quality outcomes to people who access these services.

The framework was developed in collaboration with the non-government sector to ensure important safeguards are in place, while reducing duplication and red tape. It includes:

- a set of Human Services Quality Standards that cover the core elements of human service delivery
- an assessment process to review the performance of service providers against the standards
- a continuous improvement framework that supports the participation of customers in quality improvement.

The Registration Groups for which a provider applies and the type of provider they are will determine whether a provider needs to demonstrate compliance with the standards (refer to section 9.2.2).

In Queensland compliance to the standards can be demonstrated through:

1. certification under the framework
2. evidence of certification or accreditation against a set of industry standards under an alternative quality framework
3. self-assessment.

Legislative safeguards

The following legislative safeguards apply to providers **delivering prescribed disability services identified on a NDIS participant's plan** in Queensland:

- The *Public Guardian Act* regulates the Adult Community Visitor Program – a rights protection and abuse prevention service for adults with intellectual impairment who live in settings deemed as visitable sites.
- The *Coroners Act* requires providers to report every death in care to the police or coroner, regardless of the circumstances or cause of death. The Act extends to the NDIA-registered providers.
- The *Working with Children (Risk Management and Screening) Act* requires a person who engages in paid or voluntary child-related work to have a blue card, noting that some people will qualify for an exemption. Further information on qualifying for exemption can be found at <https://www.bluecard.qld.gov.au/>
- The *Disability Services Act 2006* includes a number of important protections, including:

Criminal history screening

Providers must comply with the requirements regarding criminal history screening as outlined in the *Disability Services Act 2006*.

These requirements apply to engagement or appointment of new and existing sole practitioners, employees, board members, executive officers, students, volunteers, contractors and subcontractors engaged by the disability services provider.

Sole traders are required to undergo criminal history screening and be issued with a positive notice and yellow card or yellow card exemption notice to deliver prescribed disability services to NDIS participants 18 years or over. The NDIA will be notified of a non-compliance with this requirement. Where a sole trader is delivering supports to children, the requirements of the *Working with Children (Risk Management and Screening) Act 2000* (Blue Card system) apply.

Screening applicants will meet this requirement at their own expense.

If an NDIS provider of prescribed disability services fails to comply with the criminal history screening requirements, the department will report this failure to the NDIA.

For more information refer to <https://www.communities.qld.gov.au/disability/key-projects/criminal-history-screening>

Complaints management

Providers are to have clear and accessible complaints handling and dispute resolution processes that are in accordance with the Australian/New Zealand Standard Guidelines for Complaint Management in Organizations (AS/NZS 10002:2014).

Providers must advise participants that if they are not satisfied with the outcome of their complaint lodged with their provider, the participant can lodge a complaint with the Department of Communities, Child Safety and Disability Services (DCCSDS) Central Complaints Unit.

For more information: <https://www.communities.qld.gov.au/gateway/about-us/compliments-and-complaints-feedback>

Restrictive practices

Providers are to comply with the *Disability Services Act 2006* requirements for the use of restrictive practices and the *Disability Services Regulation 2017* in relation to the mandatory reporting of the use of restrictive practices.

Positive Behaviour Support is an evidence based approach to supporting children and adults who use challenging behaviour.

Queensland's restrictive practices legislative framework only applies to adults with disability who:

- have an intellectual or cognitive disability
- require restrictive practices as part of a positive behaviour support plan; and
- have impaired capacity to consent to the use of restrictive practices.

The *Disability Services Act 2006* safeguards the rights of Queenslanders with a disability and includes a framework for disability service providers to provide positive behaviour support. The framework aims to improve the quality of life of adults with an intellectual or cognitive disability who exhibit challenging behaviour and ensures that restrictive practices are only used when necessary to protect the adult or others from physical harm.

For more information: <https://www.communities.qld.gov.au/disability/key-projects/positive-behaviour-support>

Monitoring and compliance

Authorised officers from Department of Communities, Disability Services and Seniors will investigate any alleged breaches of the *Disability Services Act 2006* by providers operating in Queensland.

The powers of authorised officers include, where appropriate, the use of search warrants and coercive powers to undertake investigations to determine whether a contravention of the legislation has occurred and the appropriate action, if any, is required.

Compliance requirements vary depending on the service being provided.

9.2.2 Registering to provide prescribed disability services in Queensland

Providers registering with the NDIA to **deliver prescribed disability services that will be identified on a NDIS participant's plan** in Queensland must agree to the both the NDIA and Queensland registration requirements. Queensland requirements are as follows:

| Registration Group and Provider Type | Show evidence of compliance with Queensland's Human Services Quality Framework | Adhere to the safeguards as set out in the Disability Services Act 2006 | Adhere to the safeguards as set out in other Queensland state government legislation | Have, maintain, implement and act in accordance with policies consistent with the Queensland state government Abuse, Neglect and Exploitation Policy |
|---|--|---|--|--|
| All providers registering to deliver prescribed disability services under section 4 Registration Groups . <i>*see note one and two</i> | Yes | Yes | Yes | Yes |
| Professionals or consortiums of professionals registering to deliver a prescribed disability service solely under section 5 Professional Registration Groups and that directly aligns to their professional registration or certification (see section 8 professional qualification) | No Note: where a professional also registers to expand their service offering and deliver services under registration group 4, HSQF requirements will apply | Yes Note: Registered Health Practitioners (see definition in the <i>DSA 2006</i>) are exempt from criminal history screening under the DSA. | Yes | Yes |

Table one: requirements for registering to provide prescribed disability services with the NDIA

Note:

1. Assistance to Access and Maintain employment or higher education [Assist Access/Maintain Employ] and Specialist Disability Accommodation [Specialist Accom] are not prescribed disability services under Queensland's quality and safeguards framework.
2. Certified Practising Accountants (CPA) or Chartered Accountants (CA), applying to provide services under NDIS Registration Group Management of Funding for Supports [Plan Management] (0136), and Interpreters and translators applying to provide services under NDIS Registration Group Interpreting and Translation (0121) are exempt from fulfilling the requirements of Human Services Quality Framework.

Specific guidance on registration groups identified in section 4

The NDIA registration groups outlined below in *Table two: Registration Groups section 4 - Queensland quality and safeguards* are prescribed disability services. Providers registered for these registration groups are required to adhere to Queensland's quality and safeguards (see section 9.2.1).

The professions named in section 4. Registration Groups are recommendations provided by the National Disability Insurance Agency. Queensland does not mandate professions for these registration groups.

| Registration Group | No |
|--|------|
| Development of Daily Living and Life Skills [Development-Life Skills] | 0117 |
| Daily Personal Activities [Assist Personal Activities] | 0107 |
| High Intensity Daily Personal Activities [Personal Activities High] | 0104 |
| Assistance with daily life tasks in a group or shared living arrangement [Daily Tasks/Shared Living] | 0115 |
| Participation in community, social and civic activities [Participate Community] | 0125 |
| Group and Centre Based Activities [Group/Centre Activities] | 0136 |
| Management of Funding for Supports [Plan Management] <i>*see note two</i> | 0127 |
| Assistance in coordinating or managing life stages, transition and supports | 0106 |

Table two: Registration Groups section 4. - Queensland quality and safeguards

Specific guidance on professional registration groups identified in section 5

The following NDIA registration groups in section 5. Professional Registration Groups are prescribed disability services and providers are required to adhere to Queensland's legislative safeguards (see section 9.2.1).

| Professional Registration Group | No |
|--|------|
| Specialist Positive Behaviour Support [Behaviour Support] | 0110 |
| Interpreting and Translation [Interpret/Translate] | 0121 |
| Early Intervention Supports for Early Childhood [Early Childhood Supports] | 0118 |
| Support Co-ordination [Support Co-ordination] | 0132 |
| Therapeutic Supports [Therapeutic Supports] | 0128 |

Table three: Registration Groups under section 5. Professional Registration Groups guided by Queensland quality and safeguards

Specific guidance regarding Specialist Positive Behaviour Support and Support Co-ordination

In Queensland, providers registering to deliver Specialist Positive Behaviour Support (0110) and Specialist Support Coordination (0132), whose professional qualifications are not specified in Section 5: Professional Registration Groups need to be assessed as an Appropriately Qualified and Experienced Person (AQEP) against a competency framework approved by the Queensland Department of Communities, Disability Services and Seniors (DCDSS). For further information contact the HSQF team on hsqf@communities.qld.gov.au.

Professions and the registration groups in section 6 and 7

There are no prescribed disability services listed in the NDIA registration groups detailed at:

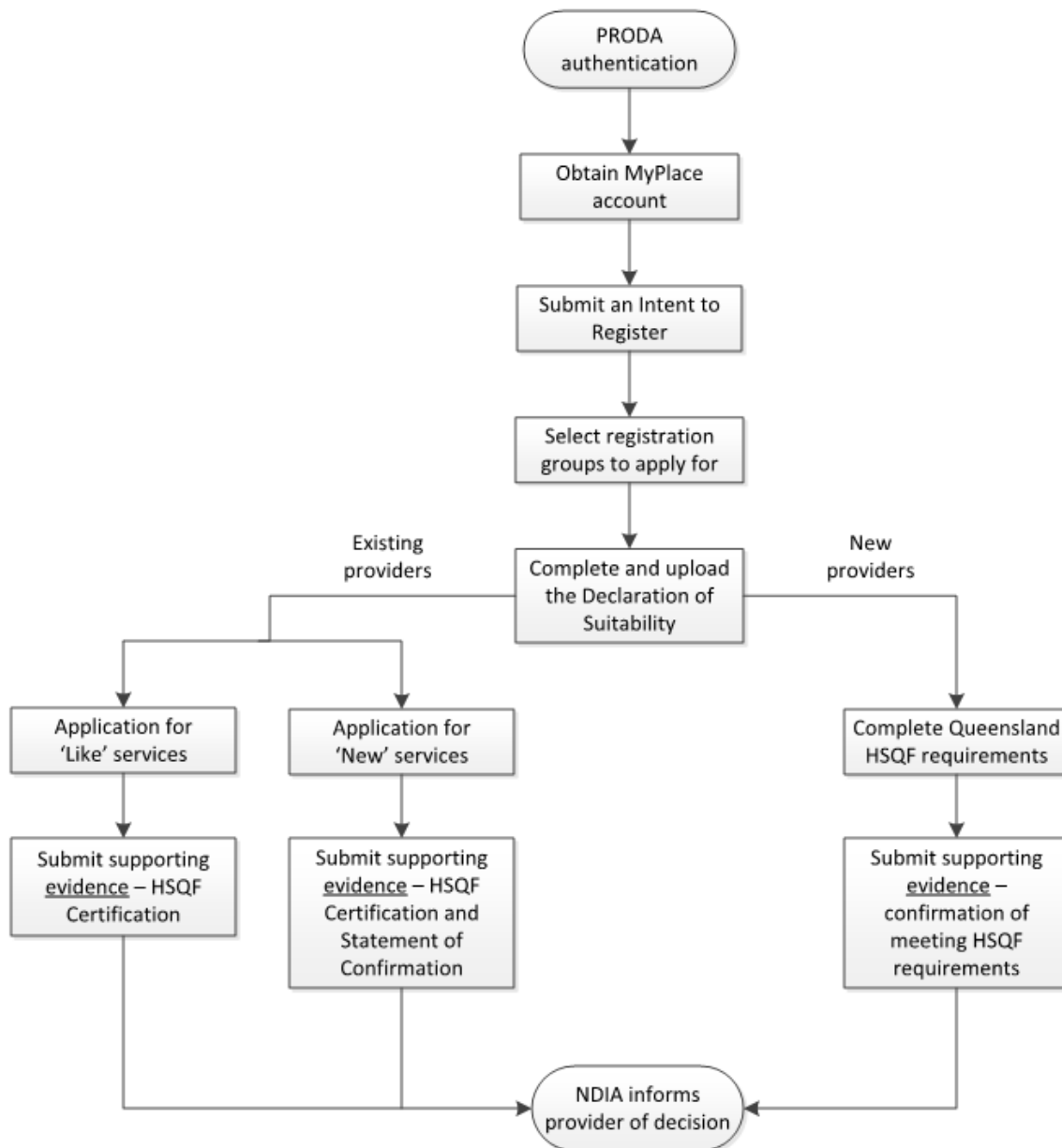
6. Home and vehicle modification Registration Groups

7. Assistive technology and equipment Registration Groups

9.2.3 Provider Registration Process for Queensland

To register as a provider, follow the steps outlined at:

<http://www.ndis.gov.au/providers/registering-provider>. The supporting evidence required for disability services registration groups is as follows:



Definitions

| Term | Description |
|--------------------------------|--|
| Prescribed disability services | As prescribed by the Disability Services Regulation 2017, Schedule 1 |
| Consortium | In this instance, Consortium is defined as a group of Registered professionals or health practitioners who operate independently under the same company, at one or a limited number of sites |
| Registered Health Practitioner | Are identified as a person registered under the Health Practitioner Regulation National Law (s5) |
| Statement of Commitment | An assurance by an organisation to include any new prescribed disability services in the scope of the next scheduled audit |

9.3 Requirements for new and existing specialist disability providers in Tasmania

Note: These requirements reflect the Quality and Safeguards Working Arrangements agreed between NDIA and Tasmania in August 2016.

Until such time that the nationally consistent *NDIS Quality and Safeguarding Framework* is implemented, **all providers of specialist disability services in Tasmania** (including supports provided under the NDIS) are required to adhere to the [Tasmanian Quality and Safety Framework for DHHS Funded Community Sector](#) (Quality and Safety Framework) and all policies, procedures and requirements within it.

The Quality and Safety Framework supports providers to have systems and processes in place to deliver safe, high quality services to Tasmanian consumers.

Furthermore, Tasmania's existing statutory safeguards for children and young people will continue to operate during the transition to full scheme. All NDIS specialist disability service providers registered in Tasmania are also required to comply with Tasmanian regulations regarding pre-employment screening, including National Criminal Checks. All NDIS specialist disability service providers registered in Tasmania must also ensure ongoing compliance with Commonwealth and Tasmanian legislation, particularly those relating to quality assurance, safety standards and restrictive practices.

The Tasmanian Department of Health and Human Services (DHHS), the Commonwealth Government and the NDIA worked together to develop Tasmania's [Quality and Safety Working Arrangements for the Transition to Full Scheme NDIS](#). These arrangements include details about the Quality and Safeguards Due Diligence process that providers intending to deliver specialist disability services under the NDIS in Tasmania, must undertake.

It is highly recommended that all providers wishing to register to deliver services under the NDIS read the Quality and Safety Framework and the Quality and Safety Working Arrangements for the Transition to Full Scheme NDIS, prior to commencing the registration process.

Specialist Disability Registration Groups

A Tasmanian due diligence process is required before providers can register with the NDIA for the following **specialist disability registration groups**:

- Daily Personal Activities (0107)
- High Intensity Daily Personal Activities (0104)
- Assistance with Daily Life Tasks in a Group or Shared Living Arrangement [Daily Tasks/Shared Living] (0115)
- Participation in Community, Social and Civic Activities [Participate Community] (0125)
- Group and Centre Based Activities [Group/Centre Activities] (0136)
- Development of Daily Living and Life Skills [Development-Life Skills] (0117)
- Management of Funding for Supports [Plan Management] (0127)

- Assistance in coordinating or managing life stages, transition and supports – [Assist-Life Stage, Transition] (0106)
- Specialist Positive Behaviour Support [Behaviour Support] (0110)
- Early Intervention Supports for Early Childhood (0118)
- Support Co-ordination (0132)
- Therapeutic Supports (0128) *(please note specific requirements of this registration group below)*

The due diligence process is undertaken by the Department of Health and Human Services (DHHS) – Disability and Community Services (DCS) and requires providers to be assessed against the Quality and Safety Framework.

Due Diligence Requirements by Provider Type

New specialist disability providers

“New” service providers are those that are:

- not currently funded by DHHS or the Commonwealth; or
- currently funded by DHHS or Commonwealth, but are seeking to deliver significantly different services from those they were originally contracted to provide (i.e. currently providing population health programs and now wish to provide specialist disability services).

All new service providers seeking to provide specialist disability supports within Tasmania must undergo the Tasmanian due diligence process detailed below before they:

- are authorised to deliver specialist disability services funded by DHHS; and/or
- finalise registration for specialist disability registration groups with the NDIA

Existing DHHS funded specialist disability support providers in Tasmania

Existing DHHS funded specialist disability support providers are providers that currently receive DHHS funding to deliver any of the services included in the specialist registration groups.

Existing DHHS funded specialist disability support providers will be required to undergo the NDIA registration process for any new specialist disability registration groups they wish to register for, including undergoing the Tasmanian due diligence process. Please note the due diligence timeframe may be shorter for those providers who are already meeting the quality and safety requirements.

Existing Commonwealth funded disability providers

Service providers currently funded by the Commonwealth, who wish to expand their service delivery to new specialist disability registration groups (excluding employment services), will be required to undertake the Tasmanian due diligence process. Providers will follow the same process, as “new” specialist disability providers.

Allied health practitioners registering to deliver Therapeutic Supports Registration Group

Please note: Therapeutic Supports can only be provided by the professions noted in section 5 of this document.

Allied health sole practitioners, or allied health professionals in consortium, are not required to undertake the Tasmanian due diligence process for the Therapeutic Supports registration group if they are registered or accredited with a recognised professional body (as described in section 5 of this document)

In this case, sole practitioners or allied health practitioners in consortiums should complete their Therapeutic Supports registration directly with the NDIA.

Allied health professionals practicing as sole practitioners or in consortium must comply with the Quality and Safety Framework and Tasmanian legislation, regulations and policy, and procedures.

Providers, other than allied health sole practitioners and consortia of allied health practitioners, wishing to register for Therapeutic Supports **are** required to complete the Tasmanian due diligence process as per other specialist disability registration groups.

Allied health practitioners registering to deliver specialist disability services

Allied health practitioners who wish to register to deliver any specialist disability registration group (other than Therapeutic Supports, as above) will be required to undergo the Tasmanian due diligence process, regardless of registration with a professional body.

Providers wishing to deliver non-specialist disability services

Providers wishing to deliver non-specialist disability services (e.g. lawn mowing or cleaning services) do not need to undertake a Tasmanian due diligence process. These providers should complete their registration with the NDIA.

Providers wishing to deliver employment services

Providers wishing to provide employment type services should apply to the NDIA directly. Commonwealth quality and safeguarding arrangements apply, including certification against the National Standards for Disability Services (NSDS) via the Human Services Scheme (part 3 (DEES)).

Tasmanian Due Diligence Process

Providers should email the DCS State Implementation Team ([SIT](#)) at ndisregistrations@dhhs.tas.gov.au to request a due diligence process. This email must include minimum information as outlined below.

Please Note: DCS will only progress applications which contain **all** of the following minimum required information from providers:

- NDIS provider registration number
- Organisation/service provider name
- Trading name if different to provider name
- Entity type e.g. sole trader, incorporated association
- ABN
- City/suburb and state that is the base for the provider
- Profit or not for profit
- Contact person
- Contact details
- Registration Groups seeking to be registered for
- Areas of Tasmania intending to deliver services
- Any other states that the provider is already NDIS registered in

Once SIT has all the relevant information, they will forward the provider's information to the relevant team within DCS for commencement of the due diligence process, and advise the provider that their request has been progressed.

Upon completion of the due diligence process, providers will receive a letter from DCS stating the outcome. This letter should be used by the provider as point in time evidence of compliance with the Tasmanian Quality and Safety Framework, to assist in completing their NDIA registration process.

Further information regarding registering to be a provider in Tasmania can be found on the [DHHS website](#).

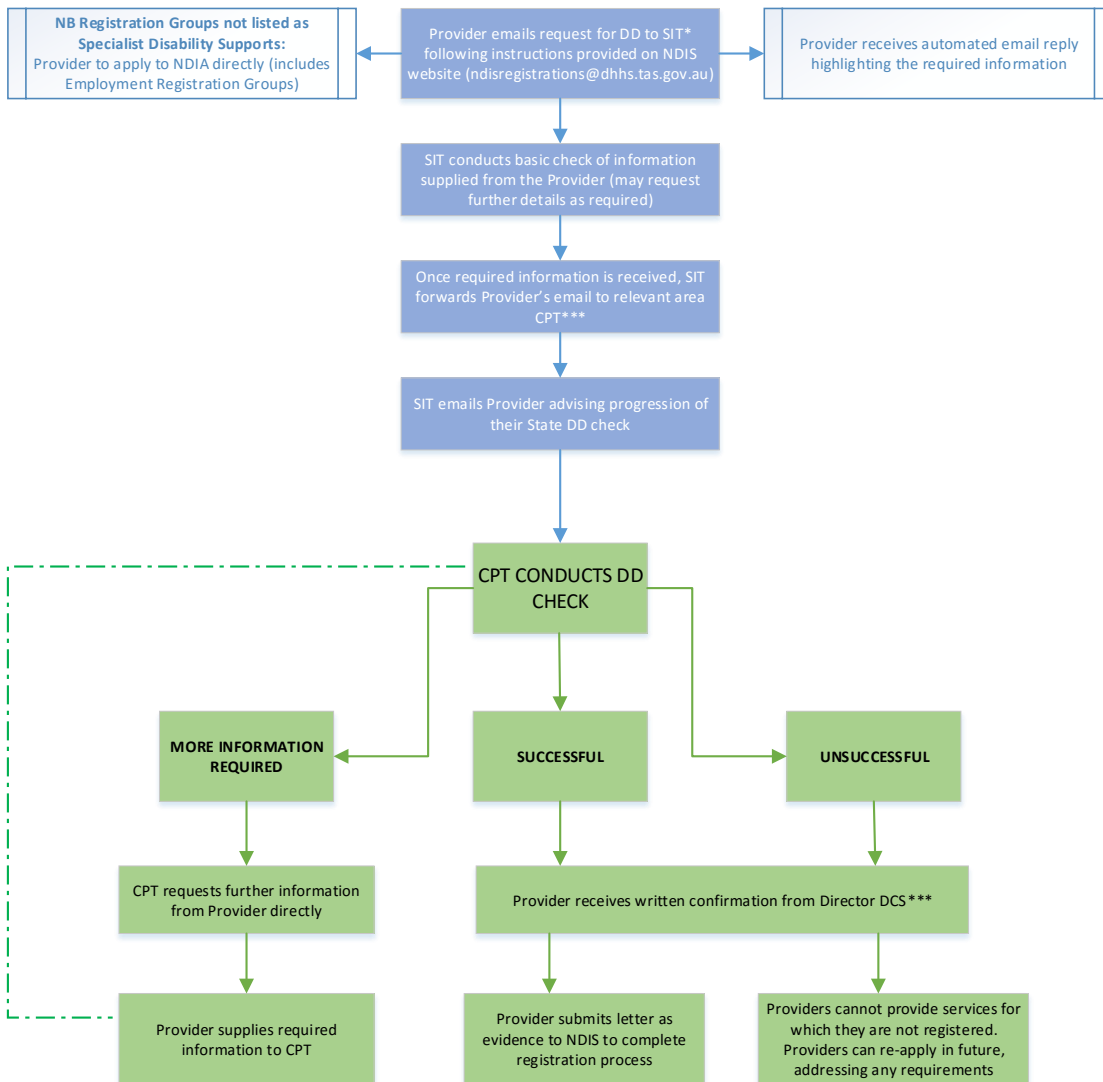
It is also recommended that all providers wishing to register to provide specialist disability services read the following documentation prior to commencing the registration process.

- [Quality and Safety Working Arrangements for the Transition to Full Scheme NDIS](#)
- [NDIS Provider Toolkit](#)

The flowchart below outlines the Tasmanian due diligence process, which is required for Specialist Disability Registration Groups, following application for registration with the NDIA:

Figure 1.1 Quality and Safety and Due Diligence Process During Transition to Full Scheme NDIS in Tasmania

DHHS DUE DILIGENCE (DD) PROCESS DURING TRANSITION TO FULL SCHEME



NB. If additional specialist disability supports are requested in future the Provider must apply via the same process and await another DD check.

*SIT = NDIS Statewide Implementation Team (Disability and Community Services, Department of Health and Human Services)

**CPT = Community Partnership Team

***DCS = Disability and Community Services

9.4 Requirements for specialist disability providers in Victoria

Note: These requirements reflect the Quality and Safeguards Working Arrangements agreed between NDIA and VIC in June 2016.

A prerequisite to NDIS registration to deliver supports in scope of Victoria's Quality and Safeguards arrangements is achieving and maintaining status as a 'Victorian approved NDIS provider'. To gain status as a Victorian approved NDIS provider, organisations must demonstrate compliance with Victoria's Quality and Safeguards requirements as set out in this (Victorian) section of the Guide to Suitability. The Victorian Government's approach to prescribing Quality and Safeguards requirements for NDIS registration groups is risk-based; and takes account of the context in which support is provided. Obligations for providers will depend on:

- providers' areas of specialisation and the client groups they work with (providers should refer to the heading 'Applicable Quality and Safeguards requirements' below); and
- whether the provider is an 'existing provider' or a new provider (providers should refer to the headings 'Arrangements for existing providers' and 'Arrangements for new providers' below).

This section of the Guide should be read in conjunction with the Victorian Quality and Safeguards Working Arrangements for Transition (**Victorian Working Arrangements**) which sets out the Quality and Safeguards arrangements for transition to the NDIS in Victoria. Part 3 and Part 4 of the Victorian Working Arrangements set out the requirements and processes for providers to register under the *National Disability Insurance Scheme Act 2013* (**NDIS Act**).

Registered NDIS providers operating in Victoria during transition to the NDIS must comply with Victorian policy requirements with respect to Quality and Safeguards. Providers should also be aware of their additional obligations under Victorian and Commonwealth legislation

9.4.1 Which Quality and Safeguards requirements apply?

The below section entitled 'Victoria's Quality and Safeguards requirements (by provider type)' sets out the requirements for providers depending on the type of supports in which they specialise. Providers that are unsure of the category into which they fall will be advised of the requirements that will be applicable to them by the Victorian NDIS triage unit on application for Victorian approved NDIS provider status.

Table 1 lists the NDIS registration groups that are in scope of the Victorian requirements.

Table 2 sets out the mandatory Quality and Safeguards requirements for all Victorian approved NDIS providers.

In addition to Table 2, there are mandatory requirements specific to particular services. Providers may need to comply with one or more of the tables below for these services.

Table 3 sets out requirements for NDIS registered providers delivering services specifically for the support of persons with a disability (within the meaning of the *Disability Act 2006 (Vic)*).

Table 4 sets out requirements for NDIS registered providers delivering psychosocial supports to people with a mental illness or mental disorder and associated psychiatric disability

Table 5 sets out requirements for providers delivering early childhood supports (0-6 years).

Table 6 sets out requirements for existing Home and Community Care providers.

9.4.2 Arrangements for existing providers

An '**existing provider**' means a provider that, as at 30 June 2016, was registered under the *Disability Act 2006* (Disability Act) and/or had a current Service Agreement with a Victorian Government Department (for the provision of services transitioning to the NDIS).

Note: an 'existing provider of psychosocial supports' is defined as a provider funded by the Victorian Government to deliver one or more of the following Mental Health Community Support Services that are transitioning to the NDIS: Individualised Client Support Packages; Adult Residential Rehabilitation Services; and Supported Accommodation Services.

Existing providers are deemed to have already achieved Victorian approved NDIS provider status and will not have to undergo an additional review process in order to become a Victorian approved NDIS Provider.

Where an existing provider wishes to deliver supports during transition that it did not deliver as at 30 June 2016, it may - at the sole discretion of the relevant Victorian Government Department – be required to undergo further quality assurance processes in order to demonstrate its ability to deliver the new supports in accordance with Victorian quality and safeguards requirements.

Existing providers will be issued with a certificate by the Victorian Government detailing the NDIS registration group(s) the provider has pre-approval for (based on the services it delivered under its Service Agreement with a Victorian Government Department and/or registration under the Disability Act as at 30 June 2016).

Existing providers choosing to make an application to become a registered NDIS provider may attach this certificate to their NDIS registration as evidence of their status as a Victorian approved NDIS provider. Existing providers will be monitored for ongoing compliance with the jurisdictional requirements set out in this Guide by the Victorian Government. The Victorian Government reserves the right to refuse or revoke an existing provider's status as a Victorian approved NDIS provider where it has concerns about the capacity of the provider to comply with Victoria's Quality and Safeguards requirements.

9.4.3 Existing providers of Home and Community Care (HACC) Program for Younger People (HACC PYP) services

Existing providers of HACC PYP services will continue to be subject to the terms and conditions of their Service Agreement with the Department of Health and Human Services during transition to the NDIS.

Table 6: Requirements for existing HACC PYP providers will apply to these providers.

Where an existing provider of HACC PYP wishes to deliver supports during transition that it did not deliver as at 30 June 2016, it may – at the sole discretion of the relevant Victorian Government Department - be required to undergo further quality assurance processes in order to demonstrate its ability to deliver the new supports in accordance with the Victorian Quality and Safeguards standards.

If an existing provider of HACC PYP services ceases to have a Service Agreement with the Department of Health and Human Services but continues to deliver the same services funded by the NDIS, the provider will be required to demonstrate that it meets the requirements set out in *Table 2: Requirements for all Victorian approved NDIS providers* and *Table 6: Requirements for existing providers of HACC PYP services in order to retain their NDIS registration*. Providers may also be required to undertake independent review against the Home and Community Care standards (at their own expense).

9.4.4 Registration of NDIS providers delivering supports in-scope of Victoria's quality and safeguards

Providers wishing to register for NDIS registration groups in-scope of Victoria's quality and safeguards must submit evidence to the NDIA that they have achieved status as a Victorian approved NDIS provider. Note that providers registering to deliver early intervention supports for early childhood must submit evidence to the NDIA that they have achieved status as either a Commonwealth or Victorian approved NDIS provider.

Victorian approved NDIS providers will be monitored for ongoing compliance with the requirements set out in this Guide. The Victorian Government reserves the right to refuse or revoke a new provider's status as a Victorian approved NDIS provider where it considers that a provider poses an unacceptable risk to participants.

9.4.5 Removal of 'Victorian Approved NDIS Provider' status

A provider's status as a Victorian approved NDIS provider may be removed if the Victorian Government determines that the provider has not maintained compliance with all Victorian Quality and Safeguards requirements relevant to the supports being delivered by the provider.

- A provider delivering supports that are covered by the *Disability Act 2006* (Disability Act) will lose its status as a Victorian approved NDIS provider if its registration as a 'disability service provider' under the Disability Act is revoked. The process for revocation of a

disability service provider's registration under the Disability Act is set out in Part 4 of the Disability Act.

- A provider delivering other in-scope supports will lose its status as a Victorian approved NDIS Provider if the provider does not comply with the requirements set out in this Guide and poses an unreasonable risk to NDIS participants. The process for removal of Victorian approved NDIS provider status for such providers is as follows:
 - The Victorian Government will notify the Victorian approved NDIS provider in writing of its intention to remove Victorian approved NDIS provider status. The notice will specify the decision, the reasons for the decision and the implications of the proposed decision (i.e.: that the NDIA may revoke the providers NDIS registration based on the loss of Victorian approved NDIS provider status). The provider will be given at least 14 days to provide a written response to the notice.
 - Any response by the provider as to why the provider's Victorian approved NDIS provider status should not be removed will be taken into consideration by the Victorian government in making its decision.
 - The Victorian Government will notify the NDIA of its decision to remove Victorian approved NDIS provider status prior to the decision taking effect.
- A provider that has lost Victorian approved NDIS provider status poses an unreasonable risk to NDIS participants and loss of Victorian approved NDIS provider status will therefore trigger the revocation of the provider's NDIS registration in accordance with the *NDIS Act 2013* and the *NDIS (Registered Providers of Supports) Rules 2013* and the NDIA's Terms of Business.

The NDIA may revoke a provider's NDIS registration in part, if the provider is registered to provide supports in scope of Victoria's Quality and Safeguards requirements, along with other NDIS funded supports that are not in scope. The NDIA may also initiate the NDIA deregistration of a provider (in consultation with the Victorian Government) where the NDIA determines a provider poses an unreasonable risk to participants or has breached the NDIA Terms of Business.

9.4.6 Arrangements for Supported Independent Living in Specialist Disability Accommodation (SDA)

Accommodation and support in-scope of the *Disability Act 2006*

Support and accommodation that meets the definition of a residential service (as defined under the Act) is treated as an integrated service under the Disability Act, although accommodation and support services may be provided by a single entity or by two separate entities. Where the provision of a residential service (accommodation and support) is split between two entities, there must be an arrangement between them that makes the support provider responsible for rights and obligations under the Disability Act. The support provider's obligations and duties under the Disability Act include the provision of accommodation that is actually provided by the

accommodation provider. In this scenario, only the support provider needs to be registered under the Disability Act.

Important rights such as residential tenancy/ and occupancy arrangements are provided under the Disability Act along with other quality and safeguards such as registration and quality assurance of providers and statutory oversight of support services for people with disability.

Note: Only **existing** providers of integrated accommodation and supports are eligible to offer both support and accommodation as a single entity. In line with the NDIA's expectations for a gradual separation of SDA and support services, existing providers will be required to effect a meaningful separation of these functions through contractual arrangements.

Requirements for NDIS providers of Supported Independent Living in SDA

Where Supported Independent Living is provided in SDA, and the service is a residential service as defined under the Disability Act, the support provider must be registered under the Disability Act and approved by the Victorian Department of Health and Human Services to deliver at least one of the following registration groups:

- Daily Tasks/Shared Living
- High Intensity Daily Personal Activities
- Daily Personal Activities

Support providers of residential services have a range of other statutory duties, obligations and procedural requirements under the Act including:

- a requirement to provide the NDIS participant with a residential statement that includes the term of the residency; the details of support; the support provider's contact details; and the setting and increase of the residential charge;
- duties including those ordinarily assigned to a 'landlord' (which can be undertaken by arrangement with a SDA provider) such as providing the premises in good repair and notices to vacate;
- issues of access related to service provision such as personal care or implementation of a resident's behaviour support or treatment plan; and
- a requirement to have an arrangement (or agreement in place) with an accommodation provider for the delivery of accommodation and support to a participant.

Note: The NDIA's Terms of Business for SDA: Addendum includes a requirement that there be a service agreement in place between the SDA provider and participant. The terms of this agreement must not conflict with the residential statement that must be issued by the support provider. Under the terms of their collaboration agreement (see below), SDA and support providers may choose to have the residential statement take the place of a service agreement between a SDA provider and participant.

The Victorian Government has provided a sample *Disability Accommodation Collaboration Agreement between the SDA and support provider* to guide SDA and support providers on the form of agreements that meet requirements of the Disability Act.

This document is available at: <https://www.vic.gov.au/ndis/service-providers.html>

This sample agreement is an example only. SDA and support providers are advised to draft agreements in consultation with each other and to seek their own legal advice on the form of these agreements.

A further requirement under the Disability Act is to ensure that offers of residency in SDA are in accordance with a process determined by the Secretary of the Department of Health and Human Services (Vic). This ensures placements are fair and transparent. Support providers must work with their SDA provider(s) to manage access to SDA in alignment with the Department of Health and Human Services, *Offering Residency in Specialist Disability Accommodation Policy and Standards*.

In addition to the requirements above, **when making a formal offer for residency in SDA, and prior to the resident taking up the offer**, support providers must work with their SDA provider to:

- comply with fire-risk assessment requirements as outlined in the *Department of Health and Human Services' Building Code of Australia requirements for fire risk management in NDIS Specialist Disability Accommodation in Victoria – Summary guidelines*;
- provide details to the Department of Health and Human Services of all enrolled properties where services will be delivered (site address and description of services to be provided there); and
- provide evidence to the Department of Health and Human Services that they have entered into an arrangement with a SDA provider that meets the requirements of the Disability Act.

Note: Failure to comply with these requirements may lead to loss of Victorian approved NDIS Provider Status and revocation of NDIS registration. The NDIA will regularly update the department with lists of all enrolled SDA properties and provider contact details to assist with monitoring compliance with these requirements.

Further information on requirements for registered SDA providers can be found in the Guide to Suitability for Specialist Disability Accommodation.

Supported Independent Living for people with mental illness or mental disorder and associated psychiatric disability

Providers for people with mental illness or mental disorder and associated psychiatric disability are not required to be registered under the Disability Act but must be approved by the Victorian Department of Health and Human Services to deliver the registration group Daily Tasks/Shared Living, High Intensity Daily Personal Activities, or Daily Personal Activities. Providers must also meet fire risk assessment requirements as outlined in the *Department of Health and Human*

Services' Building Code of Australia requirements for fire risk management in NDIS Specialist Disability Accommodation in Victoria – Summary guidelines.

In addition to these requirements, existing providers of Supported Independent Living for people with psychiatric disability must meet requirements set out in the *Offering Residency in Specialist Disability Accommodation Policy and Standards* Victoria's Quality and Safeguards requirements by provider type.

The requirements listed in Tables 1 to 6 in this section of the Guide will be regularly reviewed and updated and relevant policies may also be updated from time to time. All Victorian approved NDIS providers are responsible for regularly checking that they are up to date with any changes to the requirements in this Guide.

All references to 'funded organizations' in the policy documents listed in Tables 1 to 6 in the Victorian section of this Guide are to be read as references to Victorian approved NDIS providers.

9.4.7 Requirements for disability service providers

The requirements in this Section apply to providers **specialising** in services specifically for the support of persons with a disability within the meaning of the *Disability Act 2006* and registering (or registered) by the NDIA to provide supports in any of the following NDIS registration groups:

- Management of Funding for Supports (Plan Management)
- Assistance in coordinating or managing life stages, transition and supports (Life Stage, Transition)
- Support Coordination
- Daily Personal Activities
- High Intensity Daily Personal Activities
- Specialist Positive Behaviour support (Behaviour Support)
- Development of Daily Living and Life Skills (Development-Life Skills)
- Participation in community, social and civic activities (Participate Community)
- Group and Centre based Activities (Group/Centre Activities)
- Assistance with daily life tasks in a group or shared living arrangement (Daily Tasks/Shared Living)

Disability service providers delivering NDIS funded services under the registration groups above must comply with requirements listed in:

- Table 2: Requirements for all Victorian approved NDIS providers
- Table 3: Requirements for disability service providers

The Victorian Government will monitor Victorian approved NDIS providers' ongoing compliance with the requirements set out in this Guide, and in line with the [Funded Organisation Performance Monitoring Framework](#).

9.4.8. Requirements for providers of psychosocial supports

The requirements in this Section apply to providers **specialising** in delivering psychosocial supports to people with a mental illness or mental disorder and associated psychiatric disability and registered to provide any of the following NDIS registration groups:

- Assistance in coordinating or managing life stages, transition and supports (Life Stage, Transition)
- Support Coordination
- Daily Personal Activities
- High Intensity Daily Personal Activities
- Specialist Positive Behaviour support (Behaviour Support)
- Development of Daily Living and Life Skills (Development – Life Skills)
- Participation in community, social and civic activities (Participate Community)
- Group and Centre based Activities (Group/Centre Activities)
- Assistance with daily life tasks in a group or shared living arrangement (Daily Tasks/Shared Living)

Providers of in-scope registration groups are required to comply with the requirements listed in:

- Table 2: Requirements for all Victorian approved NDIS providers
- Table 4: Requirements for providers of psychosocial supports.

The Victorian Government will monitor Victorian approved NDIS providers' ongoing compliance with the requirements set out in this Guide, and in line with the [Funded Organisation Performance Monitoring Framework](#).

9.4.9. Requirements for providers of early intervention supports for early childhood

The requirements in this Section apply to providers registering or registered to provide the NDIS registration group:

- Early Intervention Supports for Early Childhood

Providers delivering NDIS funded services under the registration group above must hold Commonwealth or Victorian approved NDIS provider status. Commonwealth approved NDIS provider status is applicable only to providers of *Helping Children with Autism* and *Better Start* programs that were registered to provide these programs **prior** to 1 July 2016. This group of providers will be monitored by the Commonwealth and must comply with the relevant Commonwealth program requirements.

All other providers delivering NDIS funded services under the early intervention supports for early childhood registration group must hold Victorian approved NDIS provider status and comply with the requirements listed in:

- Table 2: Requirements for all Victorian approved NDIS providers

- Table 5: Requirements for providers of early childhood supports (0-6 years)

The Victorian Government will monitor Victorian approved NDIS provider's ongoing compliance with the requirements set out in this Guide, and in line with the [Funded Organisation Performance Monitoring Framework](#).

9.4.10. Requirements for existing providers of HACC-PYP services

The requirements in this Section apply to existing HACC providers registering or registered to provide the following NDIS registration groups:

- Assistance in coordinating or managing life stages, transition and supports (Life Stage, Transition)
- Support Coordination
- Daily Personal Activities
- High intensity Daily Personal Activities
- Development of Daily Living and Life Skills (Development – Life Skills)
- Participation in community, social and civic activities (Participate Community)
- Group and Centre based Activities (Group/Centre Activities)

Providers delivering NDIS funded services under the registration group above must comply with the requirements listed in:

- Table 2: Requirements for all Victorian approved NDIS providers
- Table 6: Requirements for existing providers of HACC-PYP services

The Victorian Government will monitor Victorian approved NDIS providers' ongoing compliance with the requirements set out in this Guide, and in line with the [Funded Organisation Performance Monitoring Framework](#).

HACC-PYP Providers are subject to a single review process against the Home Care Standards conducted by Australian Aged Care Quality Agency (AACQA).

9.4.11. Table 1: NDIS registration groups that are in scope of Victorian requirements

| National Disability Insurance Agency list of registration groups | Status as a Victorian Approved NDIS provider Required? |
|--|--|
| Plan Management | Yes |
| Accommodation/Tenancy | No |
| Life Stage, Transition | Yes |
| Support Co-ordination | Yes |
| Assist Access/Maintain Employ | No |
| Daily Tasks/Shared Living | Yes |
| Daily Personal Activities | Yes |
| High Intensity Daily Personal Activities | Yes |
| Assistance with Travel/Transport arrangements | No |
| Assistive Equipment for-Recreation | No |
| Hearing Equipment | No |
| Assistive Products for Household Tasks | No |
| Assist Products for Personal Care and Safety | No |
| Vision Equipment | No |
| Hearing Equipment | No |
| Specialised Hearing Services | No |
| Specialist Positive Behaviour support | Yes |
| Communications & Information Equipment | No |
| Community Nursing Care | No |
| Development-Life Skills | Yes |
| Early Intervention Supports for Early Childhood | Yes |
| Home Modification Design and Construction | No |
| Household tasks | No |
| Interpreting and Translation | No |
| Participate Community | Yes |
| Group/Centre Activities | Yes |
| Personal Mobility Equipment | No |
| Custom Prosthetics | No |

| National Disability Insurance Agency list of registration groups | Status as a Victorian Approved NDIS provider Required? |
|--|--|
| Exercise Physiology & Personal Well-being Activities | No |
| Therapeutic Supports | No |
| Specialist Disability Accommodation (Specialist Accom) | No |
| Specialised Driver Training | No |
| Specialised Supported Employment | No |
| Vehicle modifications | No |
| Assistance Animals | No |
| Innovative Community Participation | No |

9.4.12. Table 2: Requirements for all Victorian approved NDIS providers

Compliance with the requirements in **Table 2** is mandatory for all Vic approved NDIS providers.

| Legislation policies and guidelines | Location |
|---|--|
| <p>Victorian approved NDIS providers must ensure that services are provided in compliance with all applicable Victorian and Australian Laws. This may include, but is not limited to:</p> <ul style="list-style-type: none"> • <i>Disability Act 2006</i> (Vic) • <i>Mental Health Act 2014</i> (Vic) • <i>Children, Youth and Families Act 2005</i> (Vic) • <i>Charter of Human Rights and Responsibilities Act 2006</i> (Vic) • <i>Privacy and Data Protection Act 2014</i> (Vic) • <i>Health Records Act 2001</i> (Vic) • <i>Public Records Act 1973</i> (Vic), including applicable standards established by the Keeper of Public Records (Public Record Office Victoria) • <i>Associations Incorporation Reform Act 2012</i> (Vic) • <i>The Australian Consumer Law</i> (Cth) • <i>Corporations Act 2001</i> (Cth) • <i>National Disability Insurance Scheme Act 2013</i> (Cth) | <p>Victorian Statute Book</p> <p>http://www.legislation.vic.gov.au/</p> |

| Legislation policies and guidelines | Location |
|---|--|
| Victorian Charter of Human Rights and Responsibilities –[policies and guidelines supporting implementation of the Act] | See the <i>DHHS Service Agreement Information Kit (SAIK) – Chapter 4.8 Victorian Charter of Human Rights and Responsibilities</i> https://fac.dhhs.vic.gov.au/service-agreement-information-kit-0 |
| Carers Recognition Act | See the <i>DHHS Service Agreement Information Kit (SAIK) – Chapter 4.20 Victorian Carers Recognition Act</i> https://fac.dhhs.vic.gov.au/service-agreement-information-kit-0 |
| Privacy, data protection and protected disclosures | See the <i>DHHS Service Agreement Information Kit (SAIK) – Chapter 3.17 Privacy, data protection and protected disclosures</i> https://fac.dhhs.vic.gov.au/service-agreement-information-kit-0 |
| Funded Organisation Performance Monitoring framework. | See the <i>DHHS Service Agreement Information Kit (SAIK) – Chapter 4.9 Funded Organisation Performance Monitoring framework</i> https://fac.dhhs.vic.gov.au/service-agreement-information-kit-0 |
| Recordkeeping obligations detailed in the Service Agreement Information Kit of Funded Organisations (3.6.2). | See the <i>DHHS Service Agreement Information Kit (SAIK) – Chapter 3.6.2 Recordkeeping</i> https://fac.dhhs.vic.gov.au/service-agreement-information-kit-0 |
| Assignment and subcontracting | See the <i>DHHS Service Agreement Information Kit (SAIK) – Chapter 3.10 Assignment and subcontracting</i> https://fac.dhhs.vic.gov.au/service-agreement-information-kit-0 |

9.4.13. Table 3: Requirements for disability service providers

| Legislation, Standards, policies and guidelines | Location |
|---|--|
| <p>Registration under the Disability Act 2006 (Vic)</p> <p>Disability service providers must obtain registration under the <i>Disability Act 2006</i> as a pre-requisite for NDIS registration. Providers must apply for registration on the approved form; and complete a self-assessment against the gazetted Victorian <i>Department of Human Services Standards</i>.</p> <p>Providers must attain accreditation, at the provider's own expense, against the Human Services Standards with an independent review body within 12 months of registration under the <i>Disability Act 2006</i> and are subject to independent review once in every three-year period.</p> <p>Independent review must be undertaken at the provider's own expense by an independent review body that is endorsed by the Victorian Government. Providers must operate in accordance with the <i>Disability Act 2006</i> including obligations with respect to complaints, Community Visitors and restrictive interventions.</p> <p>Where a disability service provider has its registration under the <i>Disability Act 2006</i> revoked for any reason this will also mean loss of status as a Victorian approved NDIS provider for services in scope of the Act.</p> | <p>The process for registration under the <i>Disability Act 2006</i> is set out in: Policy, procedures and forms for the registration of disability service providers registered/registering with the National Disability Insurance Agency (Registration Policy)</p> <p>Information on the Human Services Standards and the process for self-assessment is set out in: Human Services Standards policy</p> <p>There is a list of independent review bodies endorsed by the Victorian Government to accredit and assess compliance against the Human Services Standards.</p> <p>Senior Practitioner-Disability- Resources and guides available at https://dhhs.vic.gov.au/office-professional-practice</p> |
| <p>Policy, procedures and forms for the registration of disability service providers registered/registering with the National Disability Insurance Agency (Registration Policy)</p> | <p>Policy, procedures and forms for the registration of National Disability Insurance Scheme disability service providers is available at https://providers.dhhs.vic.gov.au/registration-requirements-disability-service-providers</p> |

| Legislation, Standards, policies and guidelines | Location |
|---|---|
| Human Services Standards policy | https://providers.dhhs.vic.gov.au/human-services-standards |
| Critical incident management and reporting | https://providers.dhhs.vic.gov.au/cims |
| Responding to allegations of physical or sexual assault | https://providers.dhhs.vic.gov.au/responding-allegations-abuse-involving-people-disabilities |
| Staff Safety screening | <p>See the DHHS Service Agreement Information Kit (SAIK) - 4.5 Safety screening for funded organisations</p> <p>https://fac.dhhs.vic.gov.au/service-agreement-information-kit-0</p> |
| Emergency preparedness policy | <p>See the DHHS Service Agreement Information Kit (SAIK) - 4.18 Emergency preparedness policy for clients and services</p> <p>https://fac.dhhs.vic.gov.au/service-agreement-information-kit-0</p> |
| Complaints management policy | <p>See the DHHS Service Agreement Information Kit (SAIK) - 4.4 Compliment and complaint management</p> <p>https://fac.dhhs.vic.gov.au/service-agreement-information-kit-0</p> |
| Vulnerable people in emergencies | <p>See the DHHS Service Agreement Information Kit (SAIK) - 4.17 Vulnerable people in emergencies</p> <p>https://fac.dhhs.vic.gov.au/service-agreement-information-kit-0</p> |
| Child Safe Standards | <p>See the DHHS Service Agreement Information Kit (SAIK) - 4.22 Child Safe Standards</p> <p>https://fac.dhhs.vic.gov.au/service-agreement-information-kit-0</p> |
| Offering Residency in Specialist Disability Accommodation Policy and Standards – Policy and Standards | https://www.vic.gov.au/ndis/service-providers.html |
| Building Code of Australia requirements for fire risk management in NDIS Specialist Disability Accommodation in Victoria - Summary guidelines | https://www.vic.gov.au/ndis/service-providers.html |
| Reportable Conduct Scheme | https://providers.dhhs.vic.gov.au/reportable-conduct-scheme |

9.4.14. Table 4: Requirements for providers of psychosocial supports

| Legislation, Standards, policies and guidelines | Location |
|--|---|
| <p>Existing providers are encouraged to be accredited against the <i>National Standards for Mental Health Services 2010</i>, however this is not mandatory. Existing providers may choose to be independently reviewed and accredited against these Standards, at their own expense and discretion, by an independent review body. <i>Note: An 'existing provider of psychosocial supports' is defined as a provider funded to deliver a Victorian Government funded Mental Health Community Support Services program that is transitioning to the NDIS, namely: Individualised Client Support Packages; Adult Residential Rehabilitation; and Supported Accommodation Services. Providers of all other state funded Mental Health Community Support Services are regarded as 'new providers' for the purposes of registration as a Victorian approved NDIS provider.</i></p> <p>New providers applying for NDIS registration for in-scope registration groups for people with a mental illness or mental disorder and associated psychiatric disability will be given Victorian approved NDIS provider status if they are accredited against at least one of the following standards:</p> <ul style="list-style-type: none"> • National Standards for Mental Health Services 2010 • Human Services Standards • Australian Service Excellence Standards • National Standards for Disability Services • Evaluation and Quality Improvement Program Standards • ISO 9001:2008 quality management system • National Safety and Quality in Health Services Standards • Quality Improvement Council Health and Community Services Standards. | <p>National Standards for Mental Health Services: http://www.health.gov.au/internet/main/publishing.nsf/content/mental-pubs-n-servst10</p> <p>Human Services Standards Policy: https://providers.dhhs.vic.gov.au/human-services-standards</p> |

| Legislation, Standards, policies and guidelines | Location |
|---|--|
| <p>The provider must be accredited against at least one of these standards by an independent body that is certified by the:</p> <ul style="list-style-type: none"> • International Society for Quality in Health Care; or • Joint Accreditation System of Australia and New Zealand. <p>Providers accredited against one or more of the above standards - other than the National Standards for Mental Health Services - must also obtain accreditation against the National Standards for Mental Health Services. The provider must (at their own expense) be independently reviewed by an appropriately certified review body against the National Standards for Mental Health Services <u>within 12 months of obtaining Victorian approved NDIS provider status</u>. In order to maintain Victorian approved NDIS provider status the provider must achieve accreditation. Evidence of accreditation including the final assessment report and a certificate of accreditation must be provided to the department.</p> | |
| <p>Comply with obligations for mental health service providers under the <i>Mental Health Act 2014</i>, including the requirement to have regard to the principles in the Act, obligations in regard to reportable deaths, to establish procedures for managing and resolving complaints report to the Mental Health Complaints Commission on the number and outcomes of complaints received.</p> | <p>https://www2.health.vic.gov.au/mental-health/practice-and-service-Quality/mental-health-act-2014</p> |
| <p>Critical incident reporting policy and instruction (Health)</p> | <p>http://www.dhs.vic.gov.au/funded-agency-channel/about-service-agreements/incident-reporting</p> |
| <p>Responding to Allegations of physical or sexual assault</p> | <p>https://providers.dhhs.vic.gov.au/responding-allegations-abuse-involving-people-disabilities</p> |

| Legislation, Standards, policies and guidelines | Location |
|---|---|
| Emergency preparedness policy | See the DHHS Service Agreement Information Kit (SAIK) - 4.18 Emergency preparedness policy for clients and services https://fac.dhhs.vic.gov.au/service-agreement-information-kit-0 |
| Victorian Framework for Recovery-Oriented Practice (Victorian Department of Health, 2011) | https://www2.health.vic.gov.au/mental-health/practice-and-service-quality/service-quality/recovery-oriented-practice-in-mental-health |
| Mental Health Statement of Rights and Responsibilities (2012), Australian Health Ministers Advisory Council (Commonwealth of Australia 2012) | http://www.health.gov.au/internet/main/publishing.nsf/Content/mental-pubs-m-rights2 |
| Victorian Quality Improvement Framework for Health Care 2013-2022 (Victorian Department of Health) | http://www.health.vic.gov.au/divisions/chi/framework-healthcare.htm |
| Cultural responsiveness framework: guidelines for Victorian Health Services 2010-2013 or update version (Victorian Department of Health 2009) | https://www2.health.vic.gov.au/about/publications/policiesandguidelines/Cultural-responsiveness-framework---Guidelines-for-Victorian-health-services |
| Vulnerable people in emergencies | See the DHHS Service Agreement Information Kit (SAIK) - 4.17 Vulnerable people in emergencies https://fac.dhhs.vic.gov.au/service-agreement-information-kit-0 |
| Child Safe Standards | See the DHHS Service Agreement Information Kit (SAIK) - 4.22 Child Safe Standards https://fac.dhhs.vic.gov.au/service-agreement-information-kit-0 |
| Offering Residency in Specialist Disability Accommodation Policy – Policy and Standards | https://www.vic.gov.au/ndis/service-providers.html |
| Building Code of Australia requirements for fire risk management in NDIS Specialist Disability Accommodation in Victoria - Summary guidelines | https://www.vic.gov.au/ndis/service-providers.html |

9.4.15. Table 5: Requirements for providers of early intervention supports for early childhood (0-6 years)

| Legislation, Standards, policies and guidelines | Location |
|--|---|
| <p>Providers wishing to register to provide the registration group <i>Early Intervention Supports for Early Childhood</i> (formerly <i>Early Childhood Supports</i>) are required to complete a self-assessment against the <i>Victorian Early Childhood Intervention (ECI) Standards 2016</i> demonstrating the provider's suitability and compliance with the ECI Standards.</p> <p>To maintain Victorian Approved NDIS Provider status, providers of early intervention supports for early childhood are required to undertake an independent review verifying their compliance with the Victorian ECI Standards. Independent review must be undertaken within 18 months of gaining approval status using an independent review body endorsed by the Victorian Government, at the provider's expense.</p> | <p>The process for providers to complete self-assessment against the Early Childhood Intervention Standards is set out in:</p> <ul style="list-style-type: none"> • <i>Procedures and Forms for NDIS Early Childhood Supports Providers Operating in Victoria</i> http://www.education.vic.gov.au/childhood/professionals/needs/Pages/ecisndis.aspx |
| <p>Providers must comply with any performance standards made under the <i>Education and Care Service National Law Act 2010 (Vic)</i> where relevant to provider operating model.</p> <p>Providers must comply with the Child Safe Standards</p> | <p>https://providers.dhhs.vic.gov.au/child-safe-standards</p> |
| <p>Quality of service delivery</p> | <p><i>See the DHHS Service Agreement Information Kit (SAIK) – 3.3.1 Quality of service delivery</i></p> <p>https://fac.dhhs.vic.gov.au/service-agreement-information-kit-0</p> |
| <p>Responding to Allegations of physical or sexual assault</p> | <p>https://providers.dhhs.vic.gov.au/responding-allegations-abuse-involving-people-disabilities</p> |
| <p>Staff Safety screening</p> | <p><i>See the DHHS Service Agreement Information Kit (SAIK) – 5.5 Safety screening for funded organisations</i></p> <p>https://fac.dhhs.vic.gov.au/service-agreement-information-kit-0</p> |

| Legislation, Standards, policies and guidelines | Location |
|---|---|
| Conducting research in early childhood settings and schools | See the <i>DHHS Service Agreement Information Kit (SAIK) – 5.19 Safety screening for funded organisations</i> https://fac.dhhs.vic.gov.au/service-agreement-information-kit-0 |
| Complaints management (as amended from time to time) | <i>Complaints Management Policy</i> and <i>Complaints Information</i> is available on the Department of Education and Training website - ECIS Publications section: http://www.education.vic.gov.au/childhood/professionals/needs/Pages/ecisprofessionals.aspx |
| <i>Incident Reporting Guidance for ECIS Providers</i> (as amended from time to time) | <i>Incident Reporting Guidance for ECIS</i> and <i>Incident Report Form for ECIS</i> are available on the Department of Education and Training website - ECIS Publications section : http://www.education.vic.gov.au/childhood/professionals/needs/Pages/ecisprofessionals.aspx |
| EC Programs and Services Guide (as amended from time to time) | http://www.education.vic.gov.au/childhood/professionals/needs/Pages/ecisprofessionals.aspx |
| ECIS Guide (as amended from time to time) | http://www.education.vic.gov.au/childhood/professionals/needs/Pages/ecisprofessionals.aspx |
| Procedures and Forms for NDIS Early Childhood Supports Providers in Victoria (as amended from time to time) | The process for providers to complete self-assessment against the Early Childhood Intervention Standards is set out in: <i>Procedures and Forms for NDIS Early Childhood Supports Providers in Victoria</i> http://www.education.vic.gov.au/childhood/professionals/needs/Pages/ecisndis.aspx |

9.4.16. Table 6: Requirements for existing HACCP-PYP providers

| Legislation, Standards, policies and guidelines | Location |
|--|--|
| Providers of HACCP-PYP services must comply with and be reviewed against the Home Care Common Standards Providers are subject to a single review process against the Home Care Standards conducted by Australian Aged Care Quality Agency (AACQA). | https://www.aacqa.gov.au/providers/home-care |
| <u>Responding to Allegations of physical or sexual assault</u> | https://providers.dhhs.vic.gov.au/responding-allegations-abuse-involving-people-disabilities |
| Critical incident management instruction (health) | http://www.dhs.vic.gov.au/funded-agency-channel/about-service-agreements/incident-reporting |
| Staff Safety screening | See the DHHS Service Agreement Information Kit (SAIK) - 4.5 Safety screening for funded organisations https://fac.dhhs.vic.gov.au/service-agreement-information-kit-0 |
| Emergency preparedness policy | See DHHS the Service Agreement Information Kit (SAIK) - 4.18 Emergency preparedness policy for clients and services https://fac.dhhs.vic.gov.au/service-agreement-information-kit-0 |
| Complaints management policy | See the DHHS Service Agreement Information Kit (SAIK) - 4.4 Compliment and complaint management https://fac.dhhs.vic.gov.au/service-agreement-information-kit-0 |
| Occupational health and Safety | See the DHHS Service Agreement Information Kit (SAIK) - 4.6 Occupational health and Safety https://fac.dhhs.vic.gov.au/service-agreement-information-kit-0 |
| Workcover | See the DHHS Service Agreement Information Kit (SAIK) - 4.7 Workers Compensation https://fac.dhhs.vic.gov.au/service-agreement-information-kit-0 |
| Pandemic business continuity planning | See the DHHS Service Agreement Information Kit (SAIK) - 4.10 Pandemic business continuity planning |

| Legislation, Standards, policies and guidelines | Location |
|---|---|
| | https://fac.dhhs.vic.gov.au/service-agreement-information-kit-0 |
| Vulnerable people in emergencies | <p><i>See the DHHS Service Agreement Information Kit (SAIK) - 4.17 Vulnerable people in emergencies</i></p> https://fac.dhhs.vic.gov.au/service-agreement-information-kit-0 |

9.5 Requirements for new specialist disability providers in ACT

9.5.1 Specialist Disability Services

Safeguards and quality assurance frameworks that currently exist to protect people in the ACT sit under the ACT *Disability Services Act 1991* and related instruments. This Act applies to all specialist disability service providers in the ACT regardless of whether they are an NDIS provider.

The Human Services Registrar (HSR) is responsible for administering the **Disability Services Act 1991 and related instruments**. It also regulates the sector to ensure compliance with standards established under law. Specialist Disability Service Providers have mandated ongoing reporting obligations to the HSR, these include:

- Critical incidents/complaints - report the circumstances of a risk where the provider has reasonable grounds to believe there is serious risk to the life, health or safety of a person with a disability to whom the provider is providing a specialist disability service. Targeted compliance reviews may occur in response to complaints or critical incidents.
- Disclosure of: an investigation of the provider; arbitration, litigation or other adjudicative proceeding that could have an adverse impact on the provider's capacity to comply with the standards.
- Changes to governance structure –
 - any material change or proposed change to the constitution and rules or memorandum and articles of association;
 - any change in their chair of the board, public officer, chief executive or any equivalent positions or executive management;
 - their intention to obtain an exemption from compliance with any law of the Territory that applies to the provider, including under the *Discrimination Act 1991* (ACT); and
 - any circumstance that could adversely affect their financial capacity to deliver specialist disability services.

9.5.2 NDIS Quality and Safeguards Agreement

Under agreement with the federal government, pending the development of and transition to a nationally consistent quality and safeguarding approach under the NDIS, existing jurisdictional safeguards will be maintained. In the ACT these safeguards include:

- Ensuring that people working or volunteering with vulnerable people are registered with the Office of Regulatory Services under the *Working with Vulnerable People (Background Checking) Act 2011*. People working in disability services need to be registered.
- Specialist Disability Service providers need to provide support within a Standards framework. Relevant standards include, but are not limited to: National Disability

Service Standards; Home Care Standards; National Standards for Mental Health Services; Disability Standards for Education; and Disability Advocacy Standards.

Assessment of providers against the safeguards is conducted by the HSR. For more information on safeguards and quality assurance in regard to the NDIS, please [click here](#).

For inquiries please email Quality@act.gov.au or call (02) 6207 5474.

Both new and existing registered providers wishing to register for new groups must apply to the Human Services Registrar for assessment against the ACT's quality and safeguards requirements by contacting Quality@act.gov.au or Phone: 02 6207 5474

The NDIA will await advice from the ACT as to whether to finalise registration of an organisation.

Whether or not they are registered with the NDIA, Specialist Disability Service providers are required to comply with:

- The [Disability Services Act 1991](#) and subordinate instruments; and
- The [Disability Services Regulation 2014](#) provides the necessary legislative authority.

The definition of [Specialist Disability Service under the Disability Services Act 1991 and the applicable standards](#) are also available.

9.5.3 Assessment

Once providers have contacted the Human Services Registrar, they will be advised of what specific evidence is required. Following receipt of all information and assessment, advice will be provided to the NDIA and you regarding registration of your organisation for the requested registration groups.

The length of time for an assessment can be up to 4 weeks, as long as all information sought is provided in a timely way. Failure to provide information will delay the assessment.

In assessing compliance with quality and safeguards for specialist disability services, the ACT Government needs evidence that supports the existence and use of key organisational safeguards. The regulatory approach is proportionate to risk. Suitable evidence will be in keeping with your organisation type, size and structure and the services to be delivered. A service delivering personal care to clients with high and complex needs would be considered to be engaged with far more risk than a service delivering art therapy. The evidence provided will need to demonstrate that the organisation has identified possible risks and developed management strategies to eliminate or minimise them. So for example, a small business would not be expected to have extensive staff manuals, management systems and governance documents like

those expected of an organisation with a Board and constitution etc, but would be expected to document how the internal control structure works. In many cases a policy statement will suffice.

In assessing your application, the Office of the Human Services Registrar looks at organisational documents for information/ evidence about how the organisation meets the applicable standards, this could include evidence of:

- Self-assessment, external accreditation or a statement describing how you meet the standards.
- Governance and management structures and business (including financial) planning
- Staff qualifications and recruitment practices
- Current working with vulnerable people checks
- A copy of your organisational Child Safety policy detailing
 - Reporting requirements for the purposes of the *Children and Young People Act 2008*;
 - Training available to help staff for the purposes of the *Children and Young People Act 2008*; and
 - Avenues of assistance that staff can access to help them to comply with the *Children and Young People Act 2008*
- Information and policies regarding organisational risk management, complaints/feedback processes, human resource processes

For further information or if you have any questions, please don't hesitate to contact Quality@act.gov.au or phone: 02 6207 5474

9.6 Requirements for specialist disability providers in New South Wales

The NDIS Quality and Safeguards Commission (NDIS Commission) — a new independent Commonwealth body — commenced operating in New South Wales on 1 July 2018.

The NDIS Commission is responsible for the registration and regulation of NDIS providers in New South Wales, a function previously performed by the NDIA and New South Wales Government.

The NDIA will no longer approve registration applications for providers in New South Wales. Instead, applications for registration as a provider should be made to the Commission via www.ndiscommission.gov.au.

For more information on the NDIS Commission please visit www.ndiscommission.gov.au.

New South Wales providers will continue to interact with the NDIA for a range of functions including service bookings, payment requests, and viewing participants' plans in the myplace portal.

9.7 Requirements for new specialist disability providers in Northern Territory

Note: These requirements reflect the Quality and Safeguards Working Arrangements agreed between the National Disability Insurance Agency (NDIA) and the Northern Territory (NT) in August 2017.

9.7.1 Existing NT Funded Providers, New providers and existing NDIS providers expanding services

Until such time that the NDIS Quality and Safeguards Framework is implemented, all providers requesting to be registered with the National Disability Insurance Agency in the Northern Territory to deliver the Registration Groups listed below will be required to demonstrate their compliance with the NT Quality and Safeguarding Framework (the Framework). This is through participating in an assessment process, which includes self-assessment and an independent review (Full Assessment), or a streamlined independent assessment (Streamlined Assessment). The Framework assessment process provides a method for the registration of providers to deliver National Disability Insurance Scheme supports in the Northern Territory. Further information for existing NT Funded Providers can be found by consulting the NT Quality and Safeguards Working Arrangements on the NDIS website and by contacting NDISProviderRegistration.DoH@nt.gov.au.

In the first instance, all providers should initiate their registration through the NDIA *myplace* portal. Further information on how to begin this process can be found in the [Provider Toolkit](#).

When providers register for the registration groups listed above, they will receive a 'pending state/territory approval' letter. Providers must initiate their NT approval by contacting NDISProviderRegistration@nt.gov.au with a copy of this letter. All providers will be required to undertake a self-assessment and independent assessment (Full Assessment), or a streamlined independent assessment (Streamlined Assessment) against the Framework. Please see below process diagram for further details. All providers will be required to undertake a self-assessment and independent assessment process against the Framework.

The NT will consider the outcome of the assessment process and make a determination if the provider meets the Framework requirements. The NT will exercise a degree of flexibility regarding assessment, acknowledging the capacity building focus of the Framework.

Based on the outcome of the assessment, the NT will issue a letter to the provider on the outcome of the assessment and a recommendation on whether the provider should be registered to deliver NDIS services in the NT.

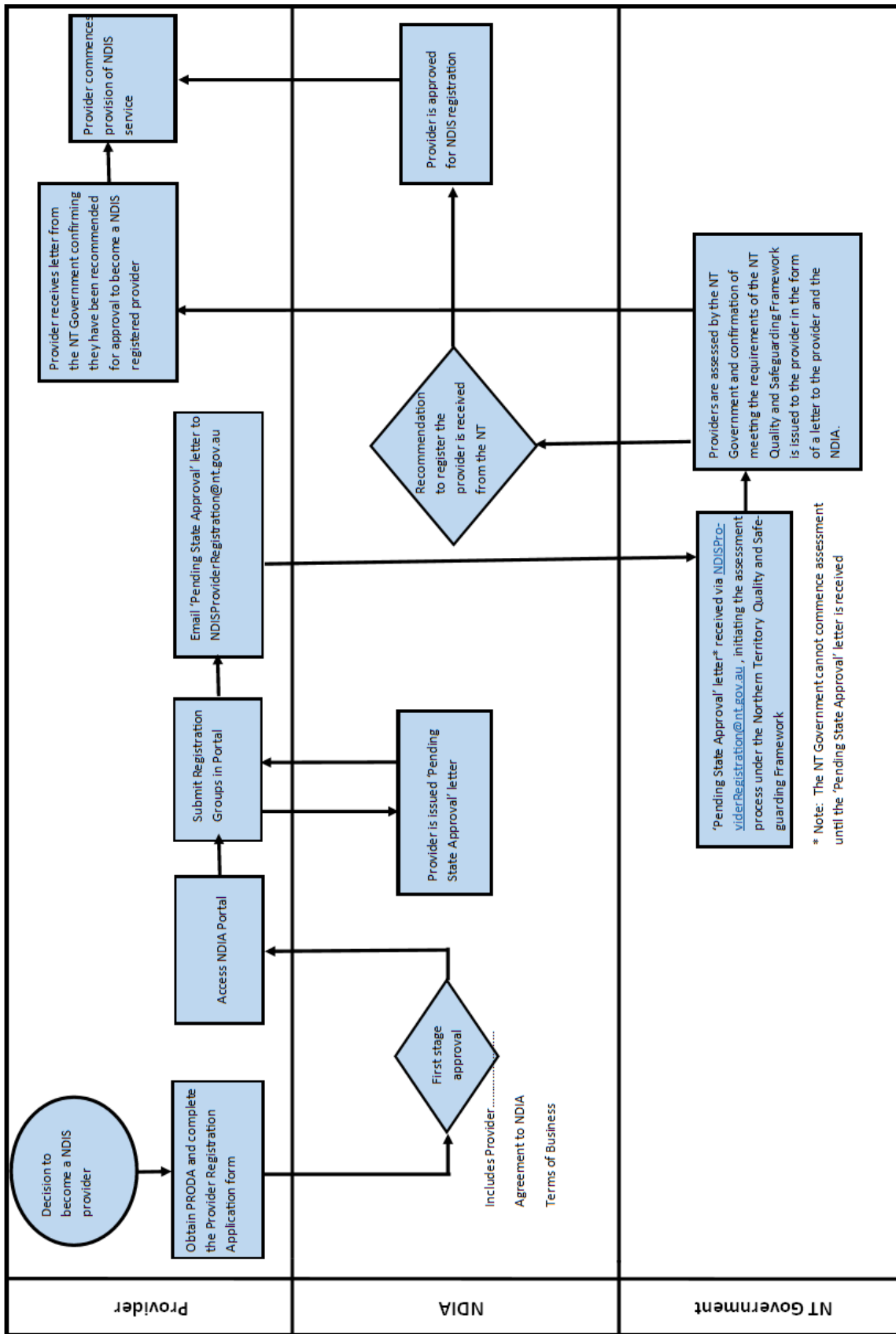
The NT may determine that its recommendation for the provider to be registered with the NDIA is dependent on the provider satisfying conditions, including adherence to a Quality Improvement Plan.

| Registration Group | Requirement of the Framework/Full/Streamlined Assessment |
|---|---|
| Accommodation / Tenancy | No |
| Assistance Animals | No |
| Assist Access / Maintain Employment or Higher Education | No |
| Assistive Equipment for Recreation | Streamlined |
| Assistive Products for Personal Care and Safety | Streamlined |
| Assistive Products for Household Tasks | Streamlined |
| Assist-Life Stage, Transition | Streamlined |
| Assistance with Travel/Transport arrangements | Streamlined |
| Behaviour Support | Streamlined |
| Communications and Information Equipment | No |
| Community Nursing Care | Streamlined |
| Customised Prosthetics | Streamlined |
| Daily Personal Activities | Full |
| Daily Tasks/Shared Living | Full |
| Development-Life Skills | Full |
| Early Intervention Supports for Early Childhood | Streamlined |
| Exercise Physiology and Personal Training | Streamlined |
| Group and Centre Based Activities | Full |
| Hearing Equipment | No |
| Hearing Services | No |
| High Intensity Daily Personal Activities | Full |

| Registration Group | Requirement of the Framework/Full/Streamlined Assessment |
|-------------------------------------|---|
| Home Modification | Streamlined |
| Household Tasks | Streamlined |
| Innovative Community Participation | No |
| Interpreting and Translation | No |
| Participate Community | Full |
| Personal Mobility Equipment | Streamlined |
| Plan Management | Streamlined |
| Specialist Disability Accommodation | No |
| Specialised Driver Training | No |
| Specialist Hearing Services | No |
| Support Co-ordination | Streamlined |
| Specialised Supported Employment | No |
| Therapeutic Supports | Streamlined |
| Vehicle modifications | No |
| Vision Equipment | No |

9.7.2 Existing Commonwealth Funded Providers

Existing Commonwealth Funded providers who register with the NDIA for services they are currently providing ('like' services) can submit a copy of their current Commonwealth program funding agreement as evidence of compliance with Commonwealth Quality and Safeguards requirements for those supports. Commonwealth funded providers who wish to expand their services will be treated as a new provider for those supports, and will need to meet the requirements of the NT Framework.



9.8 Requirements for disability service providers in Western Australia

Quality and Safeguards Working Arrangements for transition in Western Australia are currently under development between the Western Australian Government, Commonwealth and NDIA. To ensure providers in Western Australia are able to register to provide NDIS services as these Working Arrangements are finalised, the Western Australian Government and NDIA have agreed to the below process for the registration of providers in Western Australia. Further details will be included here as they are finalised.

9.8.1 Existing WA Contracted Providers

Current members of the Western Australia Department of Communities Disability Services Provider Panel (Panel), who apply to the NDIA and meet NDIA registration requirements (as per the Provider Registration Guide to Suitability), can deliver equivalent supports (registration groups) under the NDIS to the NDIA. Department of Communities Support Clusters have been mapped to the equivalent NDIA Registration Group.

9.8.2 New providers

Providers applying to deliver supports under the NDIS to the NDIA, that do not have a current contractual arrangement with the Western Australia Department of Communities Disability Services to deliver services to people with disability must submit an application for registration to join the Disability Services Provider Panel (Panel).

To meet the mandatory requirements of registration on the Panel, applicants must meet the Quality Standards and may be required to participate in an independent Quality Standards Assessment.

9.8.3 Existing providers expanding services

Where a Disability Services Provider Panel (Panel) registered provider applies to the NDIA for new registration groups, the NDIA can automatically approve any registration group where the providers Panel service agreement includes Support Clusters that map to the registration group applied for.

Where the Panel service agreement does not include Support Clusters that map to the registration group applied for, the provider must apply for an amendment to their Panel service agreement. The NDIA will approve additional registration groups applied for

upon receipt of updated Panel service agreement with appropriate matching Support Clusters.

9.8.4 Existing Commonwealth Funded Providers

Existing Commonwealth Funded providers who register with the NDIA for services they are currently providing ('like' services) can submit a copy of their current Commonwealth program funding agreement as evidence of compliance with Commonwealth Quality and Safeguards requirements for those supports. Commonwealth funded providers who wish to expand their services will be treated as a new provider for those supports.

9.8.5 Registration Process

In the first instance, all providers should initiate their registration through the NDIA *myplace* portal. Further information on how to begin this process can be found in the [Provider Toolkit](#).

New providers who submit their registration application through the NDIA *myplace* portal will receive a 'pending state/territory approval' letter. Providers must provide a copy of this letter as part of the DSPP Panel registration process.

Further information on the Western Australia Panel registration process is available by contacting registration@communities.wa.gov.au.

9.9 Requirements for new and existing Commonwealth disability service providers

9.9.1 Arrangements for Existing Commonwealth Funded Providers- continuing to deliver same supports

Existing Commonwealth providers that transition to deliver their services under the NDIS will continue to be subject to the Quality and Safeguards terms of their Commonwealth funding agreements in accordance with the Terms of Business for Registered Providers for the NDIA. NDIS participants will continue to have recourse to the existing Commonwealth safeguard arrangements including:

- service provider complaints processes;
- Department of Social Services complaints processes;
- The Commonwealth Ombudsman;
- The Australian Human Rights Commission; and
- Other mainstream law enforcement and legal avenues.

Existing Commonwealth Funded providers who register with the NDIA for services they are currently providing ('like' services) can submit a copy of their current Commonwealth program funding agreement as evidence of compliance with Commonwealth Quality and Safeguards requirements for those supports.

Providers of the prescribed disability support services of each jurisdiction need to adhere to the Department of Social Services complaints processes.

9.9.1 Arrangements for Existing Commonwealth Funded Providers- wishing to expand their scope of service delivery

Service providers currently funded by the Commonwealth, who wish to expand their service delivery to new Registration Groups, will need to apply directly to the NDIA for registration of expanded scope. Expansion of scope will be subject to compliance with the quality and safeguards arrangements in place in the jurisdiction in which they intend to provide supports. They will effectively become new NDIA providers for the expanded services.

9.9.2 Commonwealth Employment Services (Australian Disability Enterprises and Disability Employment Services)

- Existing Employment Services will be required to continue to meet their obligations against their funding arrangements with the Department of Social Services (DSS) to maintain certification against the National Standards for Disability Services.

- New providers of employment supports must demonstrate a contract with a certification body for provision of certification to the National Standards for Disability Services. Provider registration with the NDIA will be revoked if the provider cannot provide evidence of a certificate of conformity within 12 months of registration date. Certification bodies will notify the Department (DSS) about providers who (a) achieve certification (b) have certification suspended or cancelled (c) notifiable issues (d) where there is disagreement about audit findings.
- A list of Certification Bodies can be found at <https://www.dss.gov.au/disability-and-carers/programmes-services/for-service-providers/quality-strategy-for-disability-employment-and-rehabilitation-services/accredited-certification-bodies>.

9.9.3 Monitoring and Compliance

Existing Commonwealth providers transitioning to deliver services under the NDIS will continue to be subject to the Quality and Safeguards terms of their Commonwealth funding agreements in accordance with the Terms of Business for Registered Providers for the NDIA. Existing statutory safeguards will continue to operate during the transition to full scheme, including, complaints processes, regulatory bodies, and legal avenues.

All registered NDIS specialist disability service providers registered are required to comply with the jurisdiction's regulations regarding pre-employment screening, including National Criminal Checks, and must ensure ongoing compliance with Commonwealth and jurisdiction legislations, particularly those relating to quality assurance, safety standards and restrictive practices.

9.9.4 Commonwealth Quality and Safeguarding Requirements

The Terms of Business for Registered Providers sets out quality and safeguard requirements that must be complied with by all registered providers for the NDIA, including existing providers that transition to deliver their services under the NDIS. These requirements include quality and safeguard obligations set out in current or previous Funding Agreements with the Commonwealth.

9.9.5 Registration Process

To register as a provider, follow the steps outlined in the provider toolkit at <https://providertoolkit.ndis.gov.au/>.