

A national quality and safeguarding framework

What is being developed?

A framework for a nationally consistent quality and safeguarding system for participants in the National Disability Insurance Scheme (NDIS) has been developed by the Australian Government and state and territory governments, together with the National Disability Insurance Agency (NDIA).

The NDIS quality and safeguarding system will help ensure NDIS supports are safe, while still allowing people to take reasonable risks to achieve goals.

Why do we need a national approach?

Current systems differ between states and territories, but the NDIS quality and safeguarding framework aims to be consistent across the country.

Moreover, existing arrangements for quality and safeguarding are based on funding agreements between governments and providers of supports.

The NDIS, by contrast, funds individual participants who make choices about their own supports.

This creates the need for a new quality and safeguarding framework — because people with disability themselves will make judgments and decisions about the quality of providers.

Principles

The quality and safeguarding framework has been shaped by the following principles:

- Choice and control — the NDIS should maximise opportunities for people with disability to make decisions about their supports.
- Risk-based and person-centred approach — safeguards under the NDIS should relate to the actual level of risk faced by a person.
- Presumption of capacity — the NDIS should presume that all people with disability have the capacity to make decisions and exercise choice and control.
- National consistency — the quality and safeguarding framework should provide the same protection to people, regardless of where they live in Australia.
- Reducing/minimising regulation — the quality and safeguarding framework should create the least burden possible on individuals and providers of supports while still achieving the agreed quality and safeguarding aims of the framework.
- Administrative efficiency — a national quality and safeguards system should be well organised.

What are the elements of the framework?

Various elements will come together to form the quality and safeguards framework for the NDIS.

In the consultation paper these elements have been grouped under three domains: *developmental*, *preventative* and *corrective*.

Developmental

The developmental domain is about building individuals' own natural safeguards.

A person who has a network of family and community support, understands how the system works, and has a sound knowledge of their rights will always be better protected by these natural safeguards than they would be by any safety-net built by governments.

The NDIS aims to help participants become active consumers with choice and control over the supports they need, so they can live the life they want.

This means participants need access to high-quality information that can give them the tools to choose the best providers of their supports.

It is also critical to strengthen formal and informal support networks, such as family, friends and community.

Preventative

Some measures will also be required to ensure people with disability are safe from harm.

These could include NDIA staff working with participants to identify risks and safeguards.

Preventive measures would also encourage providers to deliver safe, high-quality supports, such as assisting providers to build their capacity, including training of their frontline staff.

Such measures would also include a requirement for providers to be registered with NDIA

Corrective

The corrective domain includes actions that participants and governments need to be able to take to respond to incidents after they have occurred.

Key issues for the quality and safeguarding framework include how to handle complaints about supports that are paid for under the NDIS, and deciding how to handle serious incidents in the NDIS.

Some challenging issues

There are also five specific elements of the proposed quality and safeguarding framework that are expected to have a regulatory impact, that is they may create new or additional obligations on individuals, businesses and community-based organisations who provide supports.

We are consulting specifically with stakeholders about how these functions could be achieved. They are:

- NDIA provider registration
- systems for handling complaints
- ensuring staff are safe to work with participants
- safeguards for participants who manage their own plans
- reducing and eliminating restrictive practices in NDIS-funded supports.

Fact sheets on each of these issues are available at [DSS Online Engagement Platform](#)

How can you be involved?

We want to hear your views on a national quality and safeguarding framework.

To access the full consultation paper or to make a submission, visit [DSS Online Engagement Platform](#)