



NDIS Quality  
and Safeguards  
Commission



# 2024–25 Corporate Plan

August 2024

The NDIS Quality and Safeguards Commission is an independent body that works with people with disability, providers and the community to deliver nationally consistent, responsive and effective regulation of NDIS providers.



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WARNING: Aboriginal and Torres Strait Islander readers are warned that this document may contain images of deceased persons.

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Cover image - Callum and Joselyne

# Contents

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- Acknowledgment of Country ..... 4
- Statement of Preparation ..... 5
- Message from the Acting Commissioner ..... 6
  - Regulating for impact ..... 7
  - Systems and capability ..... 7
  - Supporting our people ..... 7
  - Equality, dignity and mutual respect ..... 8
- Plan on a Page ..... 9
- Our Agency ..... 10
  - Commission’s core functions ..... 10
  - Our Regulatory Approach ..... 11
- Our priorities and key activities ..... 13
- Operating Context ..... 16
  - Environment ..... 16
  - Capability ..... 18
  - Operations ..... 19
  - Collaboration ..... 21
  - Risk Management ..... 22
- Performance ..... 27
- Appendix ..... 36
  - Appendix A: Commissioner’s Core Functions ..... 36
  - Appendix B: Ministerial Directions ..... 36
  - Appendix C: Commonwealth Performance Framework -  
NDIS Commission 2024–25 ..... 37
  - Appendix D: Glossary ..... 38



# Acknowledgment of Country

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The NDIS Quality and Safeguards Commission (NDIS Commission) acknowledges the traditional custodians of all the lands on which we work. We pay our respects to their Elders past, present and emerging.

We thank all Aboriginal and Torres Strait Islander people who share their knowledge of country and culture with us so that we can work together to shape culturally appropriate services for a more inclusive society.

Artwork by **Presten Warren**, a proud Wirangu, Dieri, Kokatha, Mirning, Arabana man from Port Lincoln in South Australia





# Statement of Preparation

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I, Michael Phelan, as the accountable authority of the NDIS Quality and Safeguards Commission (NDIS Commission), am pleased to present the 2024-25 NDIS Quality and Safeguards Commission Corporate Plan. The plan covers the period 2024–25 through to 2027–28, as required under paragraph 35(1)(b) of the Public Governance, Performance and Accountability Act 2013.

A handwritten signature in blue ink, appearing to read 'M. Phelan', positioned above the printed name and title.

**Michael Phelan APM**

Acting NDIS Quality and Safeguards Commissioner  
30 August 2024

# Message from the Acting Commissioner

“ The NDIS is Australia’s commitment to the human rights of people with disability and it’s something all Australians can be proud of and should be committed to.”



As the Acting NDIS Quality and Safeguards Commissioner, I am honoured to deliver the 2024-25 Corporate Plan. This important strategic document outlines the key activities we plan to prioritise in 2024-25 and the coming four years. It also demonstrates our commitment to growth and improvement as the regulator for the National Disability Insurance Scheme (NDIS).

All activities outlined in this Corporate Plan support our responsibility as the NDIS regulator and our purpose to uphold the rights of NDIS participants, to elevate quality and safety and enable consumer independence.

Several important independent reviews have examined the NDIS in recent years to understand what is and isn't working with the Scheme. The reviews included the Disability Royal Commission, NDIS Review and, more recently, the NDIS Provider and Worker Registration Taskforce, which have all provided recommendations to government.

It is essential that programs as large and important as the NDIS are scrutinised to make sure they're delivering on their promise in a practical way. Equally important is that any reform is informed by the experiences and perspectives of people with disability.

Legislation amending the *National Disability Insurance Scheme Act 2013 (NDIS Act)*, and flowing from the reviews and other government decisions, will shape the regulatory activities and key priorities of the NDIS Quality and Safeguards Commission (NDIS Commission) in the next year and beyond.

The Australian Government has demonstrated its commitment to the integrity of the NDIS through recent budget uplifts for the NDIS Commission. The \$142.6 million committed in 2023-24 allowed us to increase our workforce by almost 450 people\* and, with it, significantly increase our regulatory potential. An additional \$160.7 million (over four years) was committed at the 2024-25 Budget to deliver on our Data and Regulatory Transformation (DART) program.

We are determined to continue strengthening our regulatory approach for the benefit of the people that rely on the NDIS to live life their way and those that provide them with the support and services to do so. We will also continue to work collaboratively with other government agencies, regulators and stakeholders to adopt necessary reform.

\* The \$142.6 million committed in 2023-24 resulted in a workforce uplift from 595 (at 30 June 2023) to 1,036 (at 30 June 2024)



## Regulating for impact

In the 2023-24 financial year, the NDIS Commission received 111,345 complaints and reportable incidents. This represents a 78.2 per cent and 47.3 percent increase in complaints and reportable incidents, respectively, on the previous financial year. This growth in volumes relates to increased Scheme demand, our efforts to increase people's awareness of the NDIS Commission, its role and their rights, and registered providers' improved compliance with their reporting obligations.

As a regulator with finite resources, the number of notifications, complaints and referrals (matters) we receive far exceeds our capacity, so we must be clear about when to intervene and the level of regulatory intervention required.

In the year ahead, we will review and reset our national approach to responding to complaints, reportable incidents and referrals using an enterprise prioritisation model. This model will apply a risk-proportionate response that allows us to focus on what matters most – critical safeguarding issues and protecting the human and consumer rights of people with disability. We will deal decisively with matters demanding regulatory action including infringement notices, banning orders, compliance action or litigation.

We will work with States and Territories to promote a best practice model, and national consistency, for the authorisation of restrictive practices. Using human rights protections, we will improve restrictive practices authorisation and oversight. We will use regulatory levers (see page 11) to improve behaviour support services and respond to the use of high risk and prohibited practices.

“ There is no place in the NDIS for anyone who takes advantage of people with disability.

The NDIS Commission is an active member of the [Fair Pricing Taskforce](#) and [Fraud Fusion Taskforce](#) to address overcharging of NDIS participants and uncover, investigate and prevent fraud in the Scheme.

We expect our compliance and enforcement activity to increase in the year ahead, as we regulate dishonest behaviour, enforce the Code of Conduct and remove unscrupulous providers from the NDIS. It is also critical that we consider the requirements for provider and worker entry to the Scheme and close the door on those that pose an unacceptable level of risk.

## Systems and capability

An important focus for the NDIS Commission in 2024-25 will be to prepare for the significant IT system upgrade that is part of our DART program.

The additional funding allocated in the Federal Budget 2024-25 will be directed towards modernising our outdated IT system. The new system will provide the detailed real-time information we need to make informed regulatory decisions. Our updated systems will better collect, share and analyse data from multiple sources. This will allow us to better safeguard NDIS participants, regulate providers and workers, reduce regulatory burden and improve cyber security.

Replacing our Contact Centre's phone system in April 2024 allowed us to immediately double the number of calls we handled from participants, providers and other stakeholders. I see this as evidence of how investment in our IT systems has enormous potential for us to be more responsive and effective.

## Supporting our people

Delivering the ambitious program of work we outline in this Corporate Plan hinges on one critical factor, our people. They are an enduring priority, and a continued focus for the Corporate Plan 2024-25, for a very important reason – we want our employees to be world-class regulators.

We aim to provide a safe workplace and a culture of inclusivity, cooperation and collaboration. We are focused on the learning and development of our

people, so they are empowered to do good work and excel in their public service careers.

We have an ongoing program of activity that prioritises work, health and safety (WHS) and our enterprise learning program and coaching framework will develop our employees' skills and a consistent standard of capability. We will also continue delivering activities from our [Workforce Plan](#) to support our people.

## Equality, dignity and mutual respect

Too often, people with disability are confronted with prejudice, discrimination and environmental barriers that exclude them from society; they aren't afforded the dignity and respect to which all Australians are entitled. That's the gap the NDIS is working to close.

The *NDIS Act* and the NDIS Commission's regulatory authority is based on the [United Nations Convention on the Rights of Persons with Disabilities \(CRPD\)](#). It is our nation's commitment to the human rights of people with disability and it's something all Australians can be proud of and should be deeply committed to.

It was an honour to join the NDIS Commission in March 2024 as Acting NDIS Quality and Safeguards Commissioner and I am grateful to the many participants, providers, workers and others in the community who have shared their stories with me. They have helped initiate some of the changes we are making. I commend those who demonstrate their commitment to best practice in the sector and are genuinely doing everything they can to provide the highest quality services and supports for NDIS participants.

I leave the NDIS Commission on 30 September 2024 and look forward to welcoming the new Commissioner, Louise Glanville, and newly appointed Associate Commissioner, Registration and Reform, Natalie Wade, at this time. I expect that, once they join the NDIS Commission, the Minister for the National Disability Insurance Scheme, the Honourable Bill Shorten MP, will deliver a new statement of expectations that will further frame and solidify the role and priorities of the NDIS Commission.

I will watch with pride and interest over the coming years as the NDIS Commission takes its next steps towards becoming a more efficient and modern regulator with greatly enhanced capabilities. I'd like to thank every staff member of the NDIS Commission for their support and hard work during my time here.

### **Michael Phelan APM**

Acting NDIS Quality and Safeguards Commissioner



# Plan on a Page

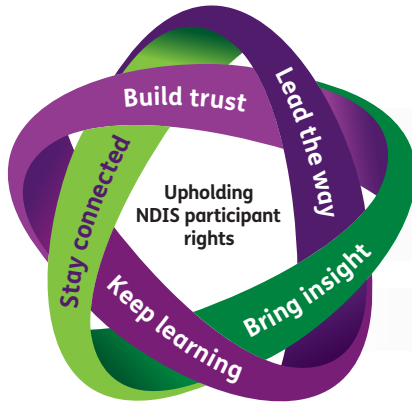
## Our Vision

People with disability achieve their aspirations.

## Our Purpose

To uphold the rights of NDIS participants, to elevate quality and safety and enable consumer independence.

### Our cultural principles



### Our impact areas



Rights of people with disability



Quality providers and workers



Thriving, diverse markets

## Portfolio Budget Statements

**Outcome 1:** Promote the delivery of quality supports and services to people with disability under the NDIS and other prescribed supports and services, including through nationally consistent and responsive regulation, policy development, advice and education.

### Program 1.1

Support for NDIS providers in relation to registration – support for NDIS providers with the costs of obtaining NDIS registration and to support the provision of education and training for providers, workers and auditors.

### Program 1.2

Program support for the NDIS Commission – to provide departmental funding for the annual operating costs of the NDIS Commission to enable the NDIS Commission to achieve its outcomes.

### Our priorities

### Key Activities



Informed by participants

Human rights approach; Accessible digital content; NDIS Practice Standards for Supported Independent Living



Committed to risk-based regulation

Legislative reform program; Provider registration plan; Enterprise prioritisation model; Market stewardship portfolio; Auditor capability framework



Increasing quality and safeguarding

National approach to authorising restrictive practices; Reduce or eliminate unnecessary restrictive practices; Positive Behaviour Support Capability Framework; Disability support worker education; Analytics capability; Worker Screening Improvement Program



Supporting our people

Capability and culture program; Ongoing WHS program; Regulatory capability program; Professional regulator program; Reconciliation Action Plan



Strengthening systems and capability

Data and Regulatory Transformation (DART) program; Inter-government data sharing arrangements

# Our Agency

## Commission's core functions

The NDIS Commission is governed by the responsibilities assigned under the National Disability Insurance Scheme Act 2013 (NDIS Act), which outlines the NDIS Quality and Safeguards Commissioner's core functions (see Appendix A, page 36). Our core functions protect the quality of disability supports and services and reduce the risk of harm to people with disability when accessing those services.

Our activities uphold our legislated responsibilities and influence all elements of the Corporate Plan, shaping our regulatory activities.



### Complaints

We receive, manage and resolve complaints about NDIS supports and services.



### Reportable Incidents

We receive and handle reportable incidents, and investigate serious and alleged incidents experienced by NDIS participants.



### Regulating All Providers

We have a responsibility to act in response to complaints or concerns that come through to us about registered and unregistered providers' supports and services, as they must comply with the Code of Conduct.



### Provider Registration

We register NDIS providers by assessing applications against the NDIS Act and rules, and administering an independent audit program.



### Positive Behaviour Support

We developed and continue to maintain the Positive Behaviour Support Capability Framework, and we undertake research to inform better practice in services and supports.



### Compliance and Investigations

We monitor compliance and investigate non-compliance is important to our work as a regulator. We investigate events affecting the rights and safety of people with disability.

NB: In addition to operating and maintaining the NDIS worker screening database



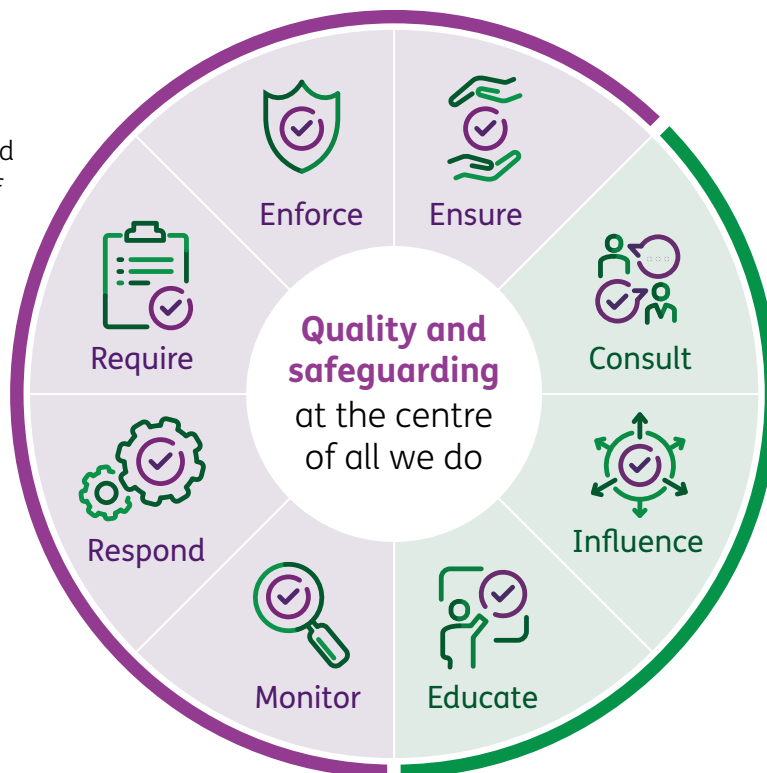
# Our Regulatory Approach

Our **Regulatory Approach** and Operating Model clearly define how we use our regulatory authority to uphold the rights of people with disability. It explains the regulatory levers we use to do that and in what circumstances they are typically applied.

## Regulatory levers and tools

### Reactive Levers

Levers to identify and respond to drivers of risk and anticipated or actual harm



### Proactive Levers

Levers to promote quality and participant safety

The NDIS Commission acts proportionately using proactive and reactive levers, either individually or in combination. This approach is consistent with Principle 2 of the Australian Government’s Regulator Performance Guidance – *risk-based and data-driven* – which states that “a risk-based approach allows a regulator to properly assess the risks of non-compliance and respond in a proportionate way to the harm being managed. Tolerances may be deliberately tight where there are, for example, risks to human life.”

While the NDIS Commission cannot investigate every matter, it aims to act on all matters where

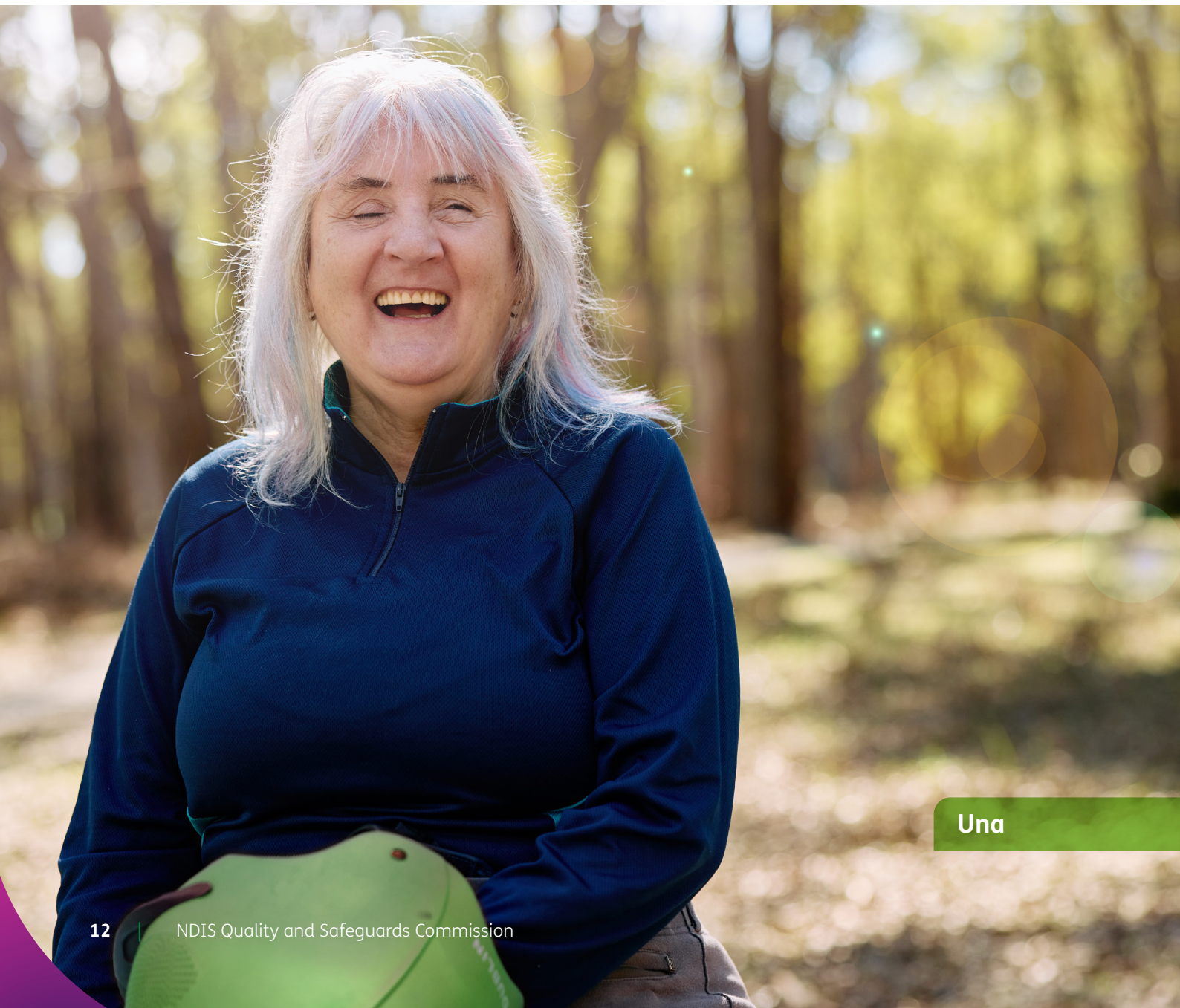
it determines an unacceptable risk of harm to participants. Taking account of factors including the gravity of any alleged breach, the vulnerability of the participant and the provider’s history, we will use appropriate regulatory levers in our response.

In 2024-25, we expect to see an increase in enforcement, legal and civil actions, in addition to engagement and educational activities, where appropriate. The Risk, Intelligence and Delivery Team supports operational areas by providing briefings and analysis to assist in determining the appropriate course of action.

## 2024-25 Regulatory Priorities

The NDIS Commission will have a greater focus on quality and safe supports in regional and remote locations and work more closely with other regulators. Our Regulatory Priorities are commitments to:

- ◆ Reduce and eliminate the use of restrictive practices through monitoring the quality and compliance of behaviour support plan development and implementation.
- ◆ Ensure registered NDIS providers comply with their conditions of registration, especially auditing requirements, effective incident management systems and reporting obligations.
- ◆ Ensure supports and services are delivered by registered and unregistered NDIS providers and workers to people with disability in a safe and competent manner and with care and skill, particularly in supported accommodation.
- ◆ Regulate registered and unregistered NDIS providers' conduct in respect to individual participant rights, independence, choice and control.
- ◆ Prevent and remove unscrupulous providers and workers from operating in the NDIS by focusing on pricing, false and misleading conduct, and serious and organised crime.



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# Our priorities and key activities

Our key activities represent the significant programs of work we will undertake to improve how we achieve the NDIS Commission’s purpose. This is not a complete overview of the work we will undertake in 2024-25. It outlines the priorities we have identified to strengthen regulation and safeguarding across the NDIS, in addition to business-as-usual operations. These are complex multi-year projects that extend across the four-year outlook of this Corporate Plan.

These priorities and key activities contribute to our strategic impact areas to support the **rights of people with disability** by making sure they have access to **quality providers and workers** and **thriving, diverse markets**.

## Our Priorities

Informed by **participants**

Committed to **risk-based regulation**

Increasing **quality and safeguarding**

Supporting **our people**

Strengthening **systems and capability**

### Priority: Informed by participants

#### What this means

We learn from, and work with, people with disability to protect their rights.

#### The actions we will take

- ◆ Continue **strengthening our human rights approach**, including creating **guidance on intersectional human rights** and **balancing competing human rights**.
- ◆ **Improve accessibility of our digital content** and how we engage in co-design with our partners.
- ◆ **Co-design the NDIS Practice Standards** for Supported Independent Living (SIL) with participants.

## Priority: Committed to risk-based regulation

### What this means

Our actions will be intelligence-led and risk-based, proportionate to the risk.

### The actions we will take

- ◆ Implement a **program of legislative reform** aligned with the NDIS Back on Track Bill and recommendations from reviews.
- ◆ Implement a **Provider Registration Plan** including defining risk categories and parameters for efficient processing of applications.
- ◆ Design and embed an **Enterprise Prioritisation Model** to direct our resources to the matters of highest priority.
- ◆ Build a **Market Stewardship Portfolio** that monitors the market for potential impacts and challenges to market segments.
- ◆ Design an **Auditor Capability Framework for Worker Screening**.

## Priority: Increasing quality and safeguarding

### What this means

People with disability are safe and have access to supports and services they trust.

### The actions we will take

- ◆ Work with the State and Territory authorities to develop a best practice model for **a national approach to authorising restrictive practices**.
- ◆ Undertake a strategic education and compliance campaign to **reduce and eliminate the unnecessary use of restrictive practices**.
- ◆ Review the **Positive Behaviour Support Capability Framework (PBSCF)** to determine what qualifications should be mandatory for support practitioners developing Behaviour Support Plans (BSPs).
- ◆ Prioritise national capability and consistency in disability services through accessible and targeted **Disability Support Worker Education**.
- ◆ Uplift our **Analytics Capability** to enable a data-driven understanding of risk in NDIS markets.
- ◆ Implement an **NDIS Worker Screening Plan**, including strengthening information sharing between the NDIS Commission and state and territory government agencies.





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### Priority: Supporting our people

#### What this means

We support our people and have a strong culture that encourages their success.

#### The actions we will take

- ◆ Continue the implementation of activities to address **Capability and Culture**, including a refresh of our **Learning & Development program** and a focus on leadership capability and internal mobility.
- ◆ Ongoing program of activity to **Prioritise WHS**.
- ◆ Continue to implement the **Regulatory Capability Program**, including staff engagement with the **Professional Regulator Program** and complete development of **Regulatory eLearning Modules and Workshops**.
- ◆ Publish the NDIS Commission’s **Reflect Reconciliation Action Plan (RAP)**.

### Priority: Strengthening systems and capability

#### What this means

Our systems are connected and enable us to work more efficiently.

#### The actions we will take

- ◆ Commence the **Data and Regulatory Transformation (DART)** program.
  - » Formal stand-up of the **DART Program** and associated governance arrangements deliver on the agreed **Year 1 DART Outcomes**, and
  - » **Plan for Year 2 DART Outcomes** to be achieved.
- ◆ Collaborate with portfolio and other government partners to **Expand Data Sharing Arrangements** to enrich the NDIS Commission’s data and support informed decision-making.

# Operating Context

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## Environment

The NDIS Commission operates in an evolving environment that includes recommendations from independent reviews and amendments to the NDIS Act. This represents a significant step forward for people with disability and an opportunity for important reform within the Scheme, NDIS Commission and across multiple sectors. While the Government has accepted (either in full or in principle) several recommendations from these reviews, it has been open about the need for further consideration of others.

Equally important is the NDIS Commission's participation in the Fraud Fusion Taskforce and Fair Pricing Taskforce to find and stop fraud and unfair pricing in the NDIS and government programs.

This evolving reform landscape (see next page) will inevitably influence the work of the NDIS Commission and potentially require adjustments to how we deliver our priorities and key activities. For example, the four-year implementation of our DART program to upgrade our IT systems will be flexible to adjustments that support government priorities relating to Scheme regulation.

The NDIS Commission's Future State program of work (commenced in 2022) remains aligned with the overarching intent of reviews and taskforce recommendations. This work has placed the NDIS Commission in a strong position to adopt any recommendations endorsed by government to advance the sustainability, integrity and impact of the Scheme.

## Strengthening the Scheme

The NDIS is an intentionally demand-driven program, so it can respond to community need. The Federal Government has set a target of eight per cent annual growth for the total costs of the NDIS by 2026-27, and amendments to the NDIS Act submitted to Parliament in early 2024 aim to achieve this.

As the NDIS regulator, the NDIS Commission must contribute to a strong and dependable Scheme for people with disability. This means making sure participants understand their rights to quality services and a diverse market of supports and services, and that all providers and workers abide by the Code of Conduct. It also means being a valued ally to our stakeholders and partner agencies to adopt reform that will remove fraudulent and misleading behaviour from the Scheme entirely.

Importantly, the NDIS Commission supports Australia's National Disability Strategy 2021-2031 (Disability Strategy) to protect, promote and realise the human rights of people with disability. Both the Disability Strategy and the NDIS Commission's assigned functions under the NDIS Act, were formed from the United Nations Convention on the Rights of Persons with Disabilities. Consequently, the Disability Strategy's vision that *people with disability can fulfill their potential as equal members of the community* is very closely aligned with our own.

## Creating mentally safe workplaces

Australian workplaces are now required to manage psychosocial hazards in the workplace under the Work Health Safety Act 2011 (WHS Act). Psychosocial hazards are any risks that can cause physical or psychological harm, such as anxiety, depression or post-traumatic stress.

The NDIS Commission developed its [Workforce Plan 2023-2028](#) in February 2023, which includes a commitment to diversity, inclusion and wellbeing. This work is ongoing and now includes a significant program of work developed in response to the Comcare Notice the NDIS Commission received in April 2023 in relation to psychosocial hazards. Implementing the plan will increase the strength and capability of our workforce, further lifting the quality of regulation we offer to the disability community.

## Reform landscape

**1**

4 April 2019

29 September 2023

31 July 2024

**Disability Royal Commission**

Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (Disability Royal Commission) established.

Disability Royal Commission Final Report delivered 222 Recommendations<sup>1</sup>.

Government response to Royal Commission Commonwealth has accepted or accepted in-principle 130 recommendations<sup>2</sup>.

**NDIS Review**

Review to examine the design, operations, sustainability, markets and workforce of the NDIS.

NDIS Review Final Report Published.  
26 recommendations<sup>1</sup> supported by 139 actions<sup>1</sup> & National Cabinet considered the NDIS Review Report.

18 October 2022

7 December 2023

**2**

Review informs legislative reform.

**3**

27 March 2024

22 August 2024

**Getting the NDIS Back on Track Bill**

National Disability Insurance Scheme Amendment (Getting the NDIS Back on Track No. 1) Bill 2024 introduced to the Parliament.

Getting the NDIS Back on Track Bill passed by the Parliament. This Bill is yet to come into effect.

**Commonwealth Disability Royal Commission Taskforce**

Commonwealth Disability Royal Commission Taskforce established to support the Government's consideration of, and response to, the Final Report.

Commonwealth Disability Royal Commission Taskforce expected to complete.

29 September 2023

30 June 2025

**4**

**5**

13 February 2024

2 August 2024

**NDIS Provider And Worker Registration Taskforce**

NDIS Provider and Worker Registration Taskforce established.

Final report outlined 11 recommendations<sup>1</sup> as well as 10 implementation actions<sup>1</sup> for government to consider, including a five-tier registration system.

1. Recommendations submitted to government for consideration
2.
  - a. Remaining recommendations which are the joint or sole responsibility of the Commonwealth are for further consideration or noted.
  - b. Several of the recommendations are still subject to further consideration by the Australian Government. This may be due to other pending related inquiries or may need further consultation and engagement to inform a response.



## A fair system

The NDIS Commission will focus on several initiatives aimed at eliminating overcharging, providing consumer choice and ensuring safeguarding is at the forefront of disability service provision. We will continue working with several government partner agencies, including the Australian Consumer and Competition Commission (ACCC) and the National Disability Insurance Agency (NDIA) to address overcharging of NDIS participants and hold providers who make false or misleading representations about their products or services to account.

## Technology and data

More than ever, technology is a vast frontier of possibility. While privacy, trust and safety concerns continue to be explored by governments worldwide, changes to data and digital approaches provide many opportunities for the NDIS Commission to improve participant safety and influence the quality of services provided under the NDIS. Our **Data and Digital Roadmap** will continue to inform the investment decisions we will make to improve our data and digital capability and stakeholder experience.

## Capability

### Data and Regulatory Transformation

The NDIS Commission secured additional funding of \$160.7m over four years at the 2024-25 Budget to upgrade its outdated IT systems as part of its Data and Regulatory Transformation (DART) program. The DART program will improve the way we operate as a regulator.

Benefits include:

- ◆ Escalating and actioning significant matters of concern raised through a complaint or incident faster and more efficiently.
- ◆ Reducing manual processing of general enquiries and complaints with automated matching of answers to frequently asked questions.
- ◆ Enabling an improved understanding of NDIS market dynamics, as they relate to participant safety and the quality of services.

- ◆ Using data intelligence to focus our regulatory activities on the individuals and areas that pose the greatest risk of harm to people with disability.
- ◆ Significantly improving the NDIS Commission's capacity to regulate and contribute to the sustainability and integrity of the NDIS.
- ◆ Improving data sharing with the NDIA and other State, Territory and Commonwealth agencies to reduce unintentional non-compliance and intentional misuse of the Scheme.
- ◆ Adopting better internal IT systems that allow NDIS Commission staff to work more efficiently.

## Our People

### Regulatory capability uplift

Our employees enable the NDIS Commission to regulate the NDIS sector so that participants can access quality and safe supports. Over the past financial year, we have significantly increased our workforce through the \$142m budget uplift received in the 2023-24 Federal Budget.

In 2024-25, the NDIS Commission will continue its program to improve the knowledge of our people and enhance wellbeing and workplace safety. We will prioritise regulatory capability with the delivery of industry standard regulatory training and certification for employees.

This will include the design and development of regulatory eLearning modules and workshops that will provide foundational knowledge required by NDIS Commission staff to perform their regulatory role. This is critical because we know how important it is for our employees to understand how their individual role contributes to our purpose.

### Employee experience

We will continue to refine our employee experience to attract, retain and support our workforce. Our intention is to support our employees to achieve their professional goals and advance their career in the Australian Public Service (APS) through initiatives like our induction, graduate and learning and development programs.

We will also support our workforce through

performance and workload management and providing a safe and inclusive workplace. This includes improved people management policies and systems and the adoption of new 2024-2027 Enterprise Agreement with Australian Public Service (APS) wide common conditions.

Our Cultural Principles, which expand on the [APS Employment Principles](#), continue to define how we work together and achieve our purpose for people with disability.

## Health and wellbeing

Due to the nature of our work, our people may be exposed to risks to health and safety, particularly psychosocial hazards. The NDIS Commission is ensuring these risks are identified and monitored and that appropriate information, training, and support is available to our people. The following initiatives are planned throughout 2024-25 and are part of the [Workforce Plan 2023-2028](#):

- ◆ Engagement of a specialist provider to facilitate training for leaders on due diligence, psychosocial risk and workplace sexual harassment.
- ◆ In consultation with our Workplace Consultative Committee (WCC), we will identify potential updates to our mandatory training modules, including the possible addition of a module on managing psychosocial risks.
- ◆ A focus on ensuring that WHS arrangements are implemented in all sites, and that local management use procedures that are site specific but consistent with national policy.

## Operations

Over the last six years the NDIS Commission has established and grown its operations across its national footprint. As a regulator with finite resources, the NDIS Commission has the responsibility for regulating 19,144 registered providers, more than 180,000<sup>‡</sup> unregistered providers and 1.06 million screened workers.

The NDIS Commission manages and oversees registration applications, and it receives and resolves complaints against providers and workers via Contact Centre services and referrals from other agencies. It also receives and provides oversight of mandatory notifications for which it has regulatory responsibility, and it monitors compliance

<sup>‡</sup> Unregistered provider numbers are indicative, based on quarterly provider payments.



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monitoring and investigation functions in accordance with the NDIS Act. This includes ensuring all NDIS providers and the workers they employ, or otherwise engage, comply with the NDIS Code of Conduct.

The NDIS Commission has a range of compliance and enforcement powers available to address non-compliance with the NDIS Act, including administrative tools such as banning orders, infringement notices and compliance notices, as well as seeking court-imposed penalties.

The number of notifications, complaints and matters the NDIS Commission receives far exceeds its capacity to attend to each matter individually within an appropriate timeframe. The NDIS Commission must make decisions about which matters to intervene in and the level of regulatory response required. The NDIS Commission will design and implement an enterprise prioritisation model (EPM) to ensure the NDIS Commission's resources are directed to the matters of highest priority, consistent with the NDIS Act 2013 and the relevant Rules. This model will apply a risk-proportionate response focused on critical safeguarding issues that protect the human and consumer rights of people with disability.

Supporting this model will be an intelligence function that will be central to the work of our operational divisions and inform the EPM, providing evidence on which to make safeguarding and regulatory decisions. This function will expand over time as the DART program is implemented and the scale of information and intelligence-gathering capability expands significantly.

## Performance audit

The Australian National Audit Office (ANAO) supports accountability and transparency in the Australian Government sector through independent reporting to the Parliament. It routinely conducts performance audits of government entities to review or examine any aspect of the organisation's operations in accordance with the [ANAO Auditing Standards](#). The ANAO presents its performance audits to the Parliament, identifying areas where improvements can be made to aspects of public administration.

In May 2024, the ANAO commenced a performance audit of the effectiveness of the NDIS Commission's

regulatory functions. The NDIS Commission welcomes the audit, which builds on the annual internal audit program already in place. We expect to receive the findings of the performance audit in April 2025 and will build relevant recommendations into our future plans.

## APS Strategic Commissioning Framework

The APS Strategic Commissioning Framework requires the core work of the Australian Public Service (APS) to be done by APS employees. The aim of the Framework is to prioritise direct employment, strengthen capability and ensure any use of external expertise enhances the work and knowledge of the APS.

Over the past two years, the NDIS Commission has already converted much of its labour hire workforce to non-ongoing APS staff. Noting the need for technical expertise and flexibility going forward, the NDIS Commission has a labour hire target rate of less than 10 per cent of the total workforce for ongoing work over the 2024-25 financial year. The NDIS Commission will see a short-term increase in labour hire over the next four years, specifically in relation to the delivery of the DART Program as we seek external technical expertise.

Given progress to-date in reducing outsourced work, there are limited opportunities for further reductions in outsourcing. In 2024-25, the NDIS Commission expects to reduce outsourcing of core work – in line with the APS Strategic Commissioning Framework – by up to \$650,000 across the organisation. This will be offset by an increase in workforce costs as that work is brought in-house.

## Governance

The NDIS Commission will implement a new and ongoing governance framework to define how we set and approach our priorities. The new governance arrangements promote an enterprise mindset and provide a real-time forensic view of our financial and people resources. It ensures we are strategic and agile in deploying our resources in alignment with government and community expectations. It also ensures governance across the NDIS Commission is connected, streamlined and due diligence is applied throughout the decision-making process.

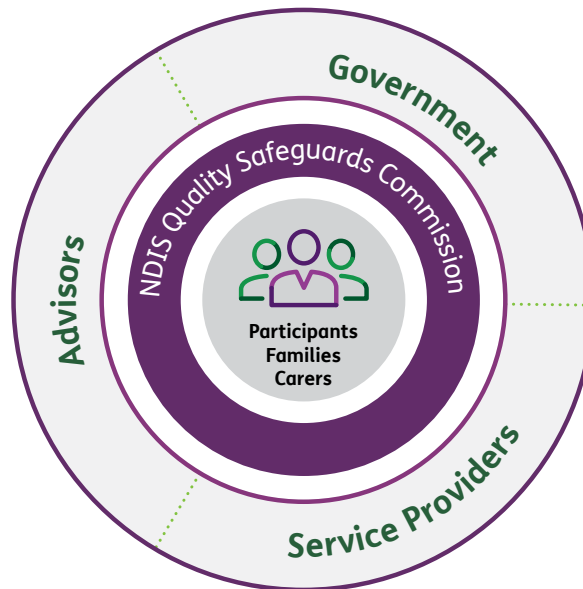


## Collaboration

As the regulator of the NDIS, we must maintain a strong focus on our regulatory role but also advocate for the intent of the Scheme and its participants. We do not operate in isolation and acknowledge the significant benefits of ongoing and genuine collaboration.

### Advisors

- ◆ Consultative Committee and Advisory Groups
- ◆ Audit and Risk Committee
- ◆ Focus Groups
- ◆ Disability Advocacy Forum



### Government

- ◆ Minister
- ◆ Commonwealth departments
- ◆ State and Territory governments
- ◆ National, State and Territory Regulators

### Service providers

- ◆ Peak bodies
- ◆ Disability representative organisations
- ◆ Providers and workers
- ◆ Advocates
- ◆ Workers' representatives

## Strengthening intergovernmental partnerships

The NDIS Commission plays a vital role in shaping Australia's disability agenda by informing social policy, overseeing the quality of disability supports, providers and workers and promoting market diversity.

As our IT system upgrades come online over the next four years, we will expand the way we work with our sector partners. In particular, the NDIA and Department of Social Services (DSS), but also other social services agencies providing services that intersect with the disability sector, such as the Department of Health and Aged Care.

The NDIS Commission welcomes the whole-of-government approach to regulatory improvement and reform, led by the Department of Finance. We seek to strengthen our own regulatory best practice by working with, and learning from, other regulatory bodies across Australia. For example, Australian Competition and Consumer Commission (ACCC) and Australian Securities and Investments Commission (ASIC).

We remain actively aware of, and track progress against important government and community initiatives to support people with disability including:

- ◆ The NDIS Commission's role in Australian Public Service Reform, specifically outcomes linked to setting the standard for equity, inclusion and diversity.
- ◆ Awareness of inclusion and accessibility initiatives that have been informed by lived experience from the disability community, including:
  - » [Australian Disability Strategy 2021-2031](#)
  - » [National Disability Data Asset](#)
- ◆ Progress in best practice developments in data and digital capability through the [Data and Digital Government Strategy](#).

The Commission's awareness and understanding of these initiatives ensures our priorities and key activities are aligned with best practice and informed by people with disability.

## Partnering with the community

The NDIS Commission remains committed to amplifying the voices of people with disability. The **Consultative Committee** and Provider and Complaints Advisory Groups will continue to provide expert advice and lived experience perspectives that inform our work. The Committee and Advisory Groups provide a mix of participants, peaks, workers, disability representative organisations and stakeholders to reflect sector and geographic diversity.

We recognise the importance of our relationships with providers, workers and advocates and respect

their view of the NDIS. These partnerships provide critical insights into the NDIS market and inform how we partner and collaborate to deliver impact for participants.

Our **Engagement Principles** underpin the NDIS Commission's interactions with our partners and stakeholders. They outline how we will seek the advice and feedback of people in the disability community and work with them to co-design or inform the policies and processes that impact them.

## Risk Management

The NDIS Commission's risk and governance framework is underpinned by the:

- ◆ *National Disability Insurance Scheme Act 2013 and NDIS Rules*
- ◆ *Public Governance, Performance and Accountability Act 2013 (PGPA Act) and the PGPA Rule*
- ◆ *Public Service Act 1999*
- ◆ *Public Interest Disclosure Act 2013*
- ◆ *Work Health and Safety Act 2011 (Cth)*
- ◆ *National Disability Insurance Scheme Risk Management Rules 2013*
- ◆ *Work Health and Safety Regulations 2011 (Cth)*
- ◆ *Comcover insurance and risk management requirements*
- ◆ *Commonwealth Procurement Rules and Procurement-Connected Policy*
- ◆ *Commonwealth Grant Rules and Guidelines*
- ◆ *Commonwealth Risk Management Policy*
- ◆ *Commonwealth Fraud and Corruption Control Framework 2024*
- ◆ *The National Anti-Corruption Commission Act 2022*
- ◆ *Protective Security Policy Framework*
- ◆ *Information Security manual*
- ◆ *Alignment to ASD's Essential Eight model*

We actively monitor and manage enterprise risk according to the NDIS Commission's Risk Management Framework that comprises:

- ◆ Risk management practices built into our systems, reporting and processes.
- ◆ Risk owners supported by dedicated risk officers.
- ◆ Operational risk management practices across regulatory operations to manage safeguarding, compliance activities and prioritisation.
- ◆ Appropriate multi-layered governance within the NDIS Commission and joint multi-layered governance under a shared services portfolio.

Our external Audit and Risk Committee (ARC) provides advice on the NDIS Commission's system of risk management, considers the appropriateness of actions being taken and informs the accountable authority around internal audit topics.

Consistent with our practice of identifying and managing key risks, the NDIS Commission has identified seven enterprise risk categories that have the potential to impact our achievement.

**Enterprise risk category**

**Description**

**2024-25: How we manage**

**Participants' rights**

There is a risk that we do not provide adequate safeguards for participants, enable meaningful choice of services, or ensure the quality of services provided to participants.

Our Strategic Plan affirms our commitment to people with disability through our ambition to be a contemporary, purpose-centred regulator keeping people with disability at the heart of what we do and every decision we make.

The NDIS Commission works with people with disability, their families, carers and advocates to empower them to speak up against abuse, neglect and harm. It also regulates and works with providers to improve their ability to support and uphold the rights of all participants through practice and guidance.

The Consultative Committee brings together people from the disability sector with diverse experience of, and expertise in, issues affecting people with disability who are committed to ensuring the safety and quality of NDIS supports and services.

We have implemented and matured the safeguarding function of the NDIS Commission to enhance our responsiveness to critical incidents and complaints, including working collaboratively with the NDIA and other State and Territory organisations, to ensure the safety of NDIS participants.

**Regulatory approach**

There is a risk that our regulatory approach does not enable effective safeguarding of participants' rights, ensure quality services are available to participants, or provide a nationally consistent approach in delivering our regulatory functions.

There is a risk that how we approach our regulatory role does not enable and build thriving and diverse markets and providers, ensuring participants have meaningful and informed choices in the services and providers they engage.

The NDIS Commission's strategy and operating model reflects contemporary regulatory approaches to drive the delivery of our core functions and statutory obligations through a range of regulatory levers and tools.

We provide support to providers, workers and auditors in relation to the registration process and have reviewed and updated the NDIS Provider Register to support an easily accessible version on the NDIS Commission website for stakeholders.

Maturity of the national operating model and increased awareness to providers, workers and NDIS participants through campaigns, projects, training and education to increase understanding of obligations and the delivery of quality services and supports for NDIS participants.



## Enterprise

### risk category

### Description

### 2024-25: How we manage

Providing a capable, flexible, and engaged workforce to meet operational requirements

There is a risk we will not be able to recruit and retain sufficient staff with required capabilities to deliver the NDIS Commission's functions.

There is a risk we are not flexible in our structures, policies, and procedures to enable resources to be allocated where they are needed.

Our Workforce Plan identifies opportunities to respond to our emerging needs, so that the organisation is well positioned to manage our deliverables and support future workforce decision making.

We will build capacity through the delivery of organisation-wide training to enable quality assurance and uplift performance. Specifically incorporating training on awareness of disability and service provisions, understanding of the NDIS Code of Conduct and understanding key issues for Aboriginal and Torres Strait Islander people with disability.

We will continue to attract, recruit and retain the right workforce.

Operational and delivery partners

There is a risk that we do not engage with, or work collaboratively with, other organisations to individually and jointly deliver outcomes for people with disability.

We actively seek diverse views and engage operationally with key stakeholders including Commonwealth and State and Territory agencies, First Nations peoples and industry stakeholders. We continue to build and maintain mutual trust with participants across the disability sector and community through improved engagement and co-design for practice improvement.

We have matured diversity and inclusion through the development of the Indigenous and Remote Operations function, Housing and Living Supports function and continued Campaigns and Projects.

The NDIS Commission forms part of the Fraud Fusion Taskforce and works with partner agencies to reduce fraud risk and improve outcomes for NDIS participants. This includes investigating matters involving systemic fraud and links to serious and organised crime entities. Utilising a range of approaches and regulatory tools to improve quality and safeguarding for NDIS participants.

## Enterprise

### risk category

### Description

### 2024-25: How we manage

#### Data and systems

There is a risk we do not effectively organise, analyse, and use data to make informed, risk-based decisions.

There is a risk that our systems do not enable the collection, utilisation and protection of information.

As data is central to risk-based and intelligence-led regulation, we ensure it is optimised to prioritise and inform risk-based decisions.

Information technology, communication and cyber security policies and procedures are adhered to in accordance with the Protective Security Policy Framework.

We have updated technological platforms and supported training to staff to enable quality outcomes for stakeholders.

We are investing in continuous improvement and enhancement of our technological capability to ensure fit for purpose systems to deliver improved outcomes for all stakeholders.

We have developed a new Operational Policy Framework and commenced implementation of the strategies to support the NDIS Commission's current, emerging and future needs as a national regulator.

#### Changes in our role or government priorities

There is a risk, dependent on the outcomes of reviews, government may make changes that directly affect the scope, role, and functions of the NDIS Commission.

We are responsive to recommendations from the Disability Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability and the NDIS Review.

Implementation of the NDIS Review behaviour support recommendations, expected for 2024-25, carries risks to the delivery of existing behaviour support related improvement priorities. Practice Quality Division will revise its existing program of work planned for 2024-25 to incorporate these recommendations, with an expectation that some de-prioritisation of other deliverables may be required.

**Enterprise risk category**

**Description**

**2024-25: How we manage**

**Worker health and safety within a flexible work environment**

There is a risk with changes in workloads, workplace environments and practices that workers' wellbeing, including psychosocial health may be impacted.

There is a risk we do not provide sufficient and effective supports to ensure the wellbeing of our staff.

We are committed to providing a safe, healthy, inclusive and diverse workplace for all employees, visitors and contractors that is free from physical and psychological harm.

The Health and Safety Committee will continue to invest in our leaders to improve and maintain a working environment that prioritises the health safety and wellbeing of our people.

We are committed to recognising the importance of work, health and safety (WHS) and have reviewed the NDIS Commission WHS policy to ensure continued compliance with the Work Health and Safety Act 2011 (WHS Act) and related Regulations and Codes to support consultation and management of WHS matters.

We have implemented a psychological and wellbeing framework and strategy to deliver on the commitment to employee wellbeing.

We will invest in continuous improvement through consultation and feedback mechanisms to ensure the effectiveness of the safety measures taken.



**Claire**



# Performance

The NDIS Commission has an obligation under the *Public Governance, Performance and Accountability Act 2013 (PGPA Act)* to develop performance measures and targets that measure how we serve our purpose as a regulator. The NDIS Commission has focused on aligning our targets with the measures included in the 2024-25 Portfolio Budget Statement (PBS). This was done by ensuring that the targets directly relate to the programs and key activities outlined in the PBS.

## Program 1.1

Support for National Disability Insurance Scheme providers in relation to registration – support for NDIS providers with the costs of obtaining NDIS registration and to support the provision of education and training for providers, workers and auditors.

**Key Activities:** Provide support to providers, workers and auditors in relation to the registration process, via administration of the NDIS Commission grants program and management of its deliverables.

<b>PBS Performance Measure</b>  <b>1</b>	The NDIS Commission Grants Program creates resources and opportunities that enhance providers', workers' and auditors' registration and training capability.	
	<b>Planned Performance Result</b>	That providers, workers and auditors have an increased understanding of their obligations and the delivery of quality services and supports for NDIS Participants.
	<b>Measure type</b>	Effectiveness Measure
<b>Target 1.1</b> Awarding of grant funding to suitable organisations to support capability building of providers and workers (Qualitative and Quantitative)		
<b>Methodology</b>	Qualitative and quantitative analysis is used to ensure that the grantee has delivered what they were contracted to deliver. Assessment of the impact of grants on the capability building for providers and workers is conducted in accordance with the evaluation framework.	
<b>Data Source</b>	Qualitative and quantitative data is captured through prescribed quarterly performance reporting provided by grant recipients.	
<b>Target Rationale</b>	The target will provide evidence of an increase in awareness and understanding of providers, workers and auditors obligations and the delivery of quality services and supports for NDIS participants.	
<b>FY2023-24 target</b>	Mix of statements of FY grant spend and qualitative reporting.	
<b>Change from previous year</b>	The 2024-25 target builds on the 2023-24 target by placing a focus on "suitable organisations" to support the capability building for providers and workers.	

## Program 1.2

Program Support for the NDIS Quality and Safeguards Commission – to provide departmental funding for the annual operating costs of the NDIS Commission to enable the NDIS Commission to achieve its outcomes.

**Key Activities:** Complaints and reportable incidents management, communications and engagement with stakeholders, behaviour support leadership, registration of NDIS service providers, management of worker screening processes, compliance operations, intra-agency operational, legal, policy and administrative support.

<b>PBS Performance Measure</b>  <span style="font-size: 2em; font-weight: bold;">2</span>	The NDIS Commission uses the full range of compliance and enforcement levers available to influence an uplift in quality and safeguarding of NDIS supports and services.			
	<b>Planned Performance Result</b>	Securing compliance with the NDIS Act through effective compliance and enforcement arrangements including the use of each of our compliance and enforcement tools.		
	<b>Measure type</b>	Output Measure		
<b>Target 2.1</b> 20% increase in the use of statutory enforcement tools (Infringement Notices, Civil Penalty Proceedings, Injunctions, Compliance Notices, Enforceable Undertakings, Banning Orders) for detected non-compliance. (Quantitative)				
	2024-25 ..... 384	2025-26 ..... 460	2026-27 ..... 552	2027-28 ..... 662
<b>Methodology</b>	A count of distinct Enforcement Action IDs against a predetermined criteria is used to calculate the number of regulatory outcomes recorded during the reporting period.			
<b>Data Source</b>	Data is sourced from the Central Operating System (COS) through the Data Warehouse. There is some off-system reporting occurring currently in the Compliance space. This data is currently being held by Risk, Intelligence and Delivery.			
<b>Target Rationale</b>	This target is intended to report on the quantity of regulatory actions that have been undertaken during the reporting period. This target will be used to demonstrate the change in posture of the regulator as it transitions from an educative approach, reflecting the sector’s maturity and adaptation to the new regulatory environment through the use of proactive levers employed by the NDIS Commission in previous years. The NDIS Commission will use statutory tools to bring about behaviour change in the industry and remove recidivist and serious non-compliant providers from the market.			
<b>FY2023-24 target</b>	Baseline data for number of registration revocations, number of registrations refused and number of banning orders.			
<b>Change from previous year</b>	Target 2.1 has been included to reflect the NDIS Commission’s regulatory posture to exercise compliance and enforcement action as part of its range of regulatory levers and is an evolution of the 2023-24 target.			

**PBS Performance Measure**

**3**

Reduce the risk of harm to participants and lift the quality of service through guidance materials for providers and workers.

**Planned Performance Result**

Sector guidance materials are accessed, understood, applied and current.

**Measure type**

Output Measure

**Target 3.1**

The proportion of providers and workers that say NDIS Commission information and resources increases their understanding of how to meet their obligations in providing quality and safe supports to people with disability remains at least 95%. (Quantitative)

Breakdown of target by population:

- a. Providers remain at or above 95%
- b. Workers remain at or above 95%

Population	2024-25	2025-26	2026-27	2027-28
Providers	95%+	95%+	95%+	95%+
Workers	95%+	95%+	95%+	95%+

<b>Methodology</b>	The methodology used to calculate the results is based on an annual survey of providers and workers.
<b>Data Source</b>	Survey responses are captured annually from providers and workers.
<b>Target Rationale</b>	The targets integrate and align with the strategic intent of the measure, namely to increase the understanding and delivery of quality and safe supports for people with disability made available by providers and workers.
<b>FY2023-24 target</b>	90% of providers surveyed said training had increased their understanding of what quality and safety means to NDIS participants.
<b>Change from previous year</b>	<ul style="list-style-type: none"> <li>◆ Target 3.1 was increased from 90% to 95%+ to align with the benchmarked results captured in the 2023-24 Annual Survey.</li> <li>◆ Note that these respondents represent a general population of providers and workers that have accessed at least one of the NDIS Commission’s artefacts created for providers and workers.</li> </ul>



**PBS Performance Measure**

**4**

The use of restrictive practices is reduced or eliminated through increased quality of behaviour support plans (BSPs), and NDIS Commission programs contribute to an increased number of verified participants with behaviour support plans and a reduction in unauthorised restrictive practices (URPs).

**Planned Performance Result**

An increase in the quality of BSPs, a reduction in the number of URPs participants are subject to and an overall reduction in restrictive practice use.

**Measure type**

Output Measure

**Target 4.1**

Increase the number of verified participants with a Behaviour Support Plan (BSP) lodged, proportionate to the increase or decrease in total participant numbers. (Quantitative)

2024-25	2025-26	2026-27	2027-28
17,019	20,097	23,175	26,420

**Methodology**

Number of behaviour support plans lodged is calculated from data in the NDIS Commission’s Central Operating System (COS) on behaviour support plans that moved from the status of draft to pending within the reporting period.

**Data Source**

Data on the number of BSPs lodged is reported in COS and can be reproduced using the same data extraction method.

**Target Rationale**

The provision of high-quality behaviour support plans is required when a restrictive practice is used, ensuring participant safety. The number of participants with a lodged behaviour support plan is expected to continue to increase in the short to medium term.

**Target 4.2**

Decrease the total number of restrictive practices used proportionate to the increase or decrease in total participant numbers. (Quantitative)

2024-25	2025-26	2026-27	2027-28
51,740	49,153	44,361	42,142

**Methodology**

Data on the number of authorised restrictive practices used is derived from an analysis of information recorded in individual participant BSPs over multiple years, aggregated.

**Data Source**

Data on the number of authorised restrictive practices used is derived through longitudinal analysis of COS data obtained via data extraction.

**Target Rationale**

When a behaviour support plan is well developed and implemented effectively, the number of restrictive practices should decrease over time and be removed from subsequent behaviour support plans.

### Target 4.3

Decrease the number of participants subject to unauthorised restrictive practices (URPs), proportionate to the increase or decrease in total participant numbers. (Quantitative)

2024-25	2025-26	2026-27	2027-28
9,150	8,692	8,431	8,178

#### Methodology

Number of participants subject to URP is calculated from COS data where a person has an open reportable incident record identifying a URP.

#### Data Source

Data on the number of URP reportable incidents is reported in COS and can be reproduced using the same data extraction method.

#### Target Rationale

Participants subject to URP are at higher risk of harm, due to the risk of inappropriate use of the practice, and the absence of positive behaviour support strategies implemented through a high-quality behaviour support plan.

### Target 4.4

Increase the quality of Behaviour Support Plans (BSPs). (Qualitative)

#### Methodology

Data about the quality of BSPs is collated from assessments of individual BSPs into a spreadsheet and stored in the NDIS Commission's record management system.

#### Data Source

Inter-rater reliability of BSP assessors using the BSP QEII is reviewed within each program of quality reviews. Data scores can be verified against the BSP that was reviewed.

#### Target Rationale

High quality BSPs improve the overall quality of life for a participant subject to restrictive practices. They also facilitate safe and sustained reductions in restrictive practices over time.

#### FY2023-24 target

Increase in lodgement of BSPs, and quality of BSPs

#### Change from previous year

Separation of the target into two stand-alone targets (4.1 and 4.4) and the addition of target 4.2 and 4.3.

PBS Performance Measure

5

The NDIS Commission supports a thriving, diverse, registered NDIS market of providers who provide quality and safe NDIS supports and services.

**Planned Performance Result** Registration market entry and removal controls prevent and remove ineffective operators and address quality and safeguarding risks.

**Measure type** Output Measure

**Target 5.1**

Percentage of applications received in a year resulting in a refusal. (Quantitative)

2024-25	2025-26	2026-27	2027-28
10%	10%	10%	10%

**Methodology** A count of distinct Application IDs against a predetermined criteria is used to calculate the number of refusals during the reporting period.

**Data Source** Refusals and approvals of applications are recorded in the Registration Module of COS. The count reflects an application status of 'refused' or approved' with a decision falling within the reporting period.

**Target 5.2**

Percentage of applications determined within 12 months of a valid application received. (Quantitative)

2024-25	2025-26	2026-27	2027-28
80%	80%	80%	80%

**Methodology** A count of distinct Application IDs against a predetermined criteria is used to calculate the number of approvals during the reporting period.

**Data Source** Refusals and approvals of applications are recorded in the Registration Module of COS. The count reflects an application status of 'refused' or 'approved' with a decision falling within the reporting period.

**Target 5.3**

20% increase in number of revocations of registrations per year. (Quantitative)

2024-25	2025-26	2026-27	2027-28
224	269	323	388

**Methodology** A count of distinct Enforcement Action IDs against a predetermined criteria is used to calculate the number of revocations during the reporting period.

**Data Source** Registration revocations are recorded within the Compliance Module of COS. The numbers reflect a count of approved compliance outcomes of that type, with a delegate decision date falling within the reporting period.



<b>Target 5.3</b>	
<b>Target Rationale</b>	<b>Target 5.1:</b> The registered provider market is increasing in size and scope, particularly in relation to new applications for registration. It is expected that there will be an increase in respect of refusals of registration applications as application numbers increase and as the NDIS Commission improves its intelligence and information sharing capabilities.
	<b>Target 5.2:</b> Ensuring that applications for registration are determined in an efficient manner ensures that the NDIS Commission is supporting a thriving, diverse market of registered providers while ensuring quality and safety of NDIS supports and services provided to people with disability.
	<b>Target 5.3:</b> With an uplift of intelligence systems and sharing capabilities between agencies it is anticipated there will be an increase in identifying fraud and unscrupulous providers and it is expected that there will be an increase in revocations based on better data quality and linkages.
<b>FY2023-24 target</b>	Nil.
<b>Change from previous year</b>	This is a new measure.

<b>PBS Performance Measure</b>  <span style="font-size: 2em; font-weight: bold;">6</span>	People with disability know their rights and trust us to support them and their carers and advocates to make complaints, and report violence, abuse, neglect and risk of harm.									
	<b>Planned Performance Result</b>	Awareness of the NDIS Commission’s role and functions increases year on year. A higher number of people with disability, year on year, exercise their rights to escalate concerns to the NDIS Commission about the receipt of quality and safe supports. Trust in the NDIS Commission’s role and functions increases year on year.								
	<b>Measure type</b>	Output Measure								
<b>Target 6.1</b> Awareness of the NDIS Commission’s role and functions increase by 2% year on year. (Quantitative) a. Target 72%										
<table style="width: 100%; text-align: center; border-collapse: collapse;"> <thead> <tr> <th style="border: none;">2024-25</th> <th style="border: none;">2025-26</th> <th style="border: none;">2026-27</th> <th style="border: none;">2027-28</th> </tr> </thead> <tbody> <tr> <td style="border: none;">72%</td> <td style="border: none;">74%</td> <td style="border: none;">76%</td> <td style="border: none;">78%</td> </tr> </tbody> </table>			2024-25	2025-26	2026-27	2027-28	72%	74%	76%	78%
2024-25	2025-26	2026-27	2027-28							
72%	74%	76%	78%							
<b>Methodology</b>	The methodology used to calculate the results is based on an annual survey of relevant stakeholder groups about the NDIS Commission’s performance during the reporting period.									
<b>Data Source</b>	Survey responses are captured annually from people with disability, representatives and advocates.									

## Target 6.2

Trust in the NDIS Commission increases by 2% year on year. (Quantitative)

a. Target 70%

2024-25	2025-26	2026-27	2027-28
70%	72%	74%	76%

### Methodology

The methodology used to calculate the results is based on an annual survey of relevant stakeholder groups about NDIS Commission's performance in during the reporting period.

### Data Source

Survey responses are captured annually from people with disability, representatives and advocates.

## Target 6.3

70% of complaints resolved in 90 days

### Methodology

The methodology compares the number of resolved complaints against the number of complaints received within a 90 day period.

### Data Source

Data is sourced from the Commission's Operating System and from other channels including webforms, phone calls and email.

### Target Rationale

The targets integrate and align with the strategic intent of the measure, namely to increase awareness, complaints and trust of the NDIS Commission.

### FY2023-24 target

80% of respondents say they trust the NDIS Commission.

### Change from previous year

- ◆ Target 6.1 Awareness of the NDIS Commission's role and functions increase by 2% year on year (new).
- ◆ Target 6.2 "80% of respondents say they trust the NDIS Commission" adjusted to, "Trust in the NDIS Commission's role and functions increases by 2% year on year". This was adjusted to account for the figures captured in the 2023-24 reporting cycle and to align with comparable figures benchmarked by similar organisations.
- ◆ Target 6.3 remains the same.

**PBS Performance Measure**

**7**

Providers and workers have an increased understanding of what quality and safety means to NDIS participants and understand the rights of people with disability as consumers.

**Planned Performance Result**

A higher number of providers and workers, year on year, understand and meet their obligations in providing quality and safe supports to people with disability.

**Measure type**

Effectiveness Measure

**Target 7.1**

More than 95% of respondents completing NDIS Commission modules report an increased understanding of what quality and safety means. (Quantitative)

2024-25	2025-26	2026-27	2027-28
95%+	95%+	95%+	95%+

**Methodology**

The methodology used to calculate the results is based on an annual survey of providers and workers.

**Data Source**

Survey responses are captured annually from providers and workers.

**Target 7.2**

More than 95% of respondents completing NDIS Commission modules report an increased understanding of the rights of people with disability as consumers. (Quantitative)

2024-25	2025-26	2026-27	2027-28
95%+	95%+	95%+	95%+

**Methodology**

The methodology used to calculate the results is based on an annual survey of providers and workers.

**Data Source**

Survey responses are captured annually from providers and workers.

**Target Rationale**

The targets integrate and align with the strategic intent of the measure, namely to increase the understanding and delivery of quality and safe supports for people with disability made available by providers and workers.

**FY2023-24 target**

90% of providers surveyed said training had increased their understanding of what quality and safety means to NDIS participants.

**Change from previous year**

- ◆ Target 7.1 was slightly amended to more clearly recognise the respondents to only include providers and workers that have completed NDIS Commission training modules. The 90% figure from the 2023-24 Corporate Plan was increased to 95%+ to align with the benchmarked results captured in the 2023-24 survey.
- ◆ Target 7.2 is a new target that captures responses about the level of understanding on the rights of people with disability as consumers. Respondents are limited to providers and workers that have completed NDIS Commission training modules.



# Appendix

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## Appendix A: Commissioner's Core Functions

The NDIS Commission's core legislative functions under the NDIS Act are to:

- ◆ uphold the rights of, and promote the health, safety and wellbeing of, people with disability receiving supports or services, including those received under the National Disability Insurance Scheme
- ◆ develop a nationally consistent approach to managing quality and safeguards for people with disability receiving supports or services, including those received under the National Disability Insurance Scheme
- ◆ promote the provision of advice, information, education and training to NDIS providers and people with disability
- ◆ secure compliance with relevant legislation through effective compliance and enforcement arrangements, including through the monitoring and investigation functions conferred on the NDIS Commissioner by legislation
- ◆ promote continuous improvement amongst NDIS providers and the delivery of progressively higher standards of supports and services to people with disability
- ◆ develop and oversee the broad policy design for a nationally consistent framework relating to the screening of workers involved in the provision of supports and services to people with disability
- ◆ provide advice or recommendations to the NDIA or the Board in relation to the performance of the NDIA's function
- ◆ engage in, promote and coordinate the sharing of information to achieve the objects of the relevant legislation, and
- ◆ provide NDIS market oversight, including:
  - i. by monitoring changes in the NDIS market which may indicate emerging risk; and
  - ii. by monitoring and mitigating the risks of unplanned service withdrawal.

## Appendix B: Ministerial Directions



Ministerial Statement of Expectations – December 2022



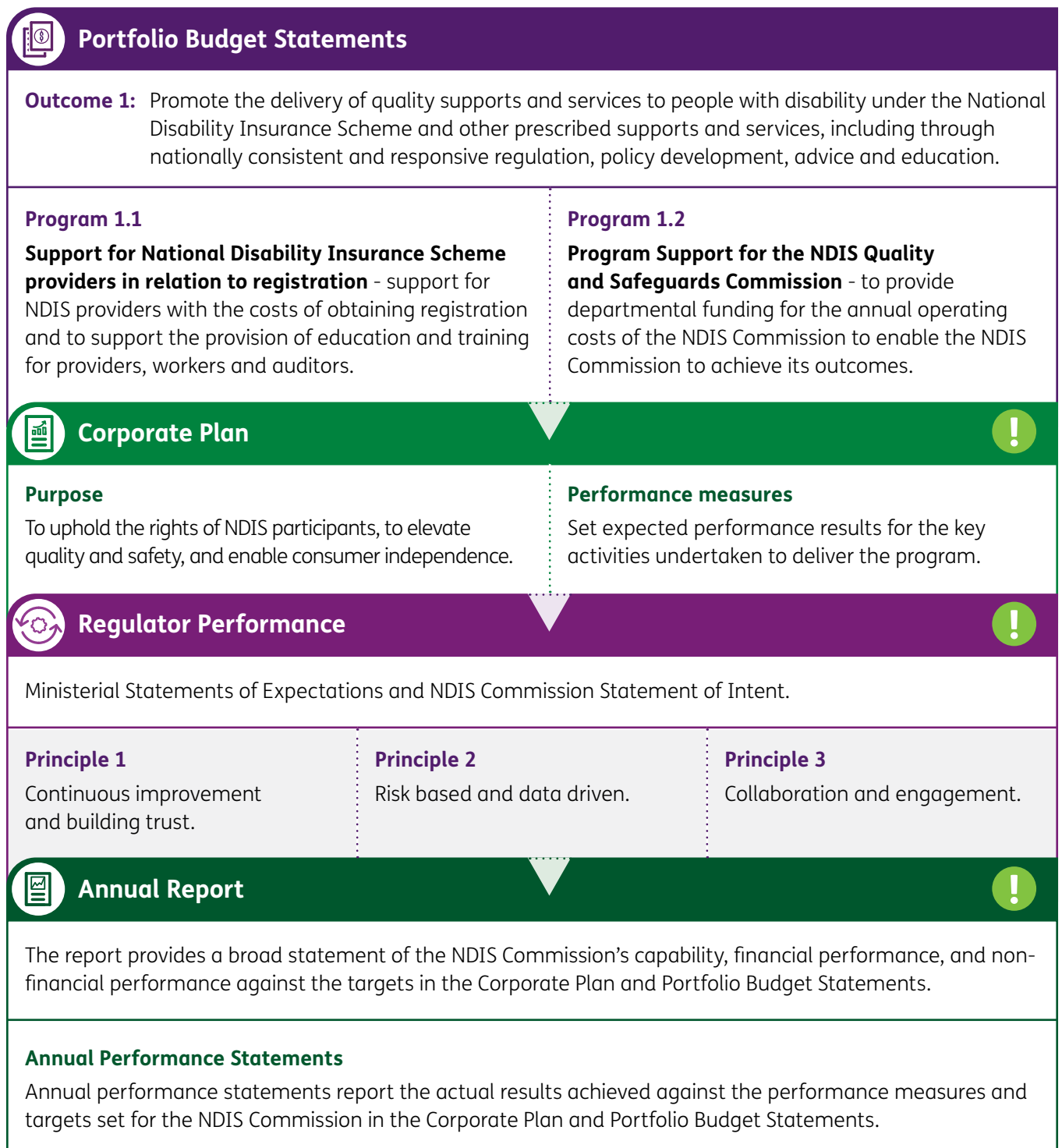
NDIS Commission Letter of Intent – March 2023



Direction to the NDIS Quality and Safeguards Commission under section 181K of the National Disability Insurance Scheme Act 2013 – No. 1/2023 – October 2023

# Appendix C: Commonwealth Performance Framework - NDIS Commission 2024–25

The Commonwealth Performance Framework requires that entities' performance planning and reporting should provide meaningful performance information with a clear line of sight between planned and actual performance.



**Risk Management**

## Appendix D: Glossary

Term	Definition
Agency	National Disability Insurance Agency (NDIA)
Australian Government Investigation Standards (AGIS)	<p>Developed in 2011 and revised in 2022, the AGIS articulates Australian Government policy and is the foundational standard, framing accountability and security for entities conducting investigations relating to the government programs and legislation they administer.</p> <p><a href="#">(Australian Government Investigations Standards)</a></p>
Behaviour Support Plan (BSP)	<p>A document providing evidence-based strategies to help improve the wellbeing of the person with disability who has “complex behaviours of concern”.</p> <p>It should be prepared in consultation with the person, their supporters and others who may assist to address their needs.</p> <p><a href="#">(NDIS Review Final Report, 2023)</a></p>
Board	Board of the National Disability Insurance Agency (NDIA)
Commissioner	NDIS Quality and Safeguards Commissioner
Department of Social Services	<p>The Department Social Services (DSS) is the Australian Government's main source of advice on social policy and manages about one fifth of the federal budget.</p> <p>DSS works in partnership with other government and non-government organisations managing a diverse range of programs and services designed to support and improve the lives of Australians.</p> <p>DSS's mission is to improve the economic and social wellbeing of individuals, families and vulnerable members of Australian communities.</p>
Strategic Leadership Group (SLG)	The Strategic Leadership Group (SLG) is collectively accountable for ensuring the NDIS Commission's regulatory function is embedded within our strategic purpose and priorities and in line with government priorities.
The government	Australian Government <a href="#">(Style Manual, 2024)</a>
Human-centred design (HCD)	HCD is an approach to problem solving that focuses on the people experiencing the problem. The NDIS Commission will use HCD to understand how people with all accessibility needs would like to receive and act on our information.
NDIS Act	National Disability Insurance Scheme Act 2013
NDIS Commission or the NDIS Commission	NDIS Quality and Safeguards Commission



Term	Definition
NDIS Provider Register	The register maintained under section 73ZS of the NDIS Act NDIS Worker Screening Check.
NDIS Worker Screening Check	The NDIS Worker Screening Check is an assessment that determines whether a person who works, or seeks to work, with people with disability poses a risk to them. Workers are either cleared or excluded from working in certain roles with people with disability. Worker screening units conduct the checks under state/territory law. The units are contained within state or territory government departments/authorities.
NDIS Worker Screening Database	A register of NDIS workers from all states and territories who have undertaken the NDIS Worker Screening Check: it shows their cleared or excluded status
Own Motion Inquiry (OMI)	An investigation that is initiated by a regulatory body, often in response to serious or systemic issues identified in one or more complaints or reportable incidents.
Parliament	Parliament of Australia ( <a href="#">Parliament of Australia, 2024</a> )
Participant or NDIS participant	A person who is a participant in the NDIS, as defined in the NDIS Act, section 28-30
Provider or NDIS provider	A person or legal entity who is an NDIS provider as defined in section 9 of the NDIS Act
Registered NDIS provider	A person or entity who is registered with the NDIS Quality and Safeguards Commission under section 73E of the NDIS Act
Regulator Performance Guide	The Regulator Performance Guide is part of the Government’s commitment to reduce unnecessary or inefficient regulation imposed on individuals, business and community organisations <a href="#">(ACCC, Regulator Performance Guide)</a>
Reportable incidents	Serious, or alleged, incidents which result in harm to an NDIS participant and have occurred in connection with NDIS supports and services.
Restrictive practices	Practices that have the effect of restricting rights or freedom of movement of a person with disability. There are five categories of regulated restrictive practices the NDIS Commission monitors – chemical, environmental, mechanical, physical and seclusion.
Supports or supports and services	A range of products and services which may include education, employment, social participation, independence, living arrangements, and health and wellbeing.
Worker or NDIS worker	A person employed or engaged by an NDIS provider



**NDIS Quality  
and Safeguards  
Commission**

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