



ACTIVITY REPORT

1 July 2020 to 30 June 2021

NDIS Quality and Safeguards Commission

During this reporting period, until the 30 November 2020, the NDIS Commission operated in all states and territories except for Western Australia. On 1 December 2020, the NDIS Commission commenced operations in Western Australia.



**NDIS Quality
and Safeguards
Commission**

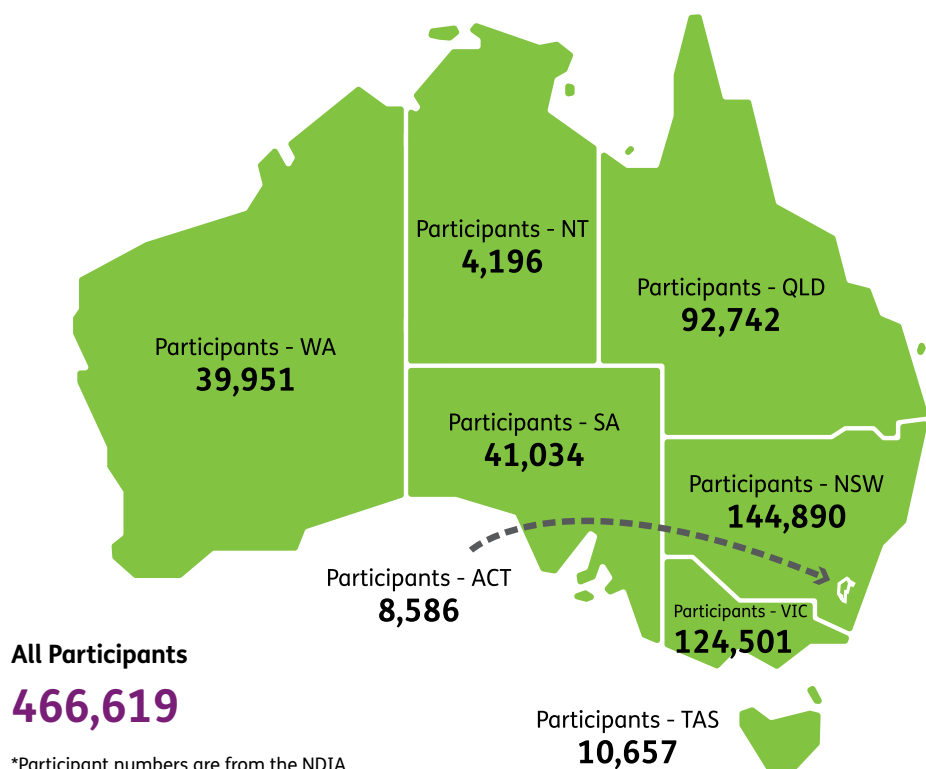
NDIS Quality and Safeguards Commission

Activity Report: 1 July 2020 to 30 June 2021

The NDIS Commission commenced in New South Wales and South Australia on 1 July 2018. It commenced in Victoria, Tasmania, Queensland, Northern Territory and the Australian Capital Territory on 1 July 2019. The NDIS Commission commenced in Western Australia on 1 December 2020.

1) Participants across Australia

The NDIS Commission regulates NDIS supports and services to NDIS participants in all states and territories.



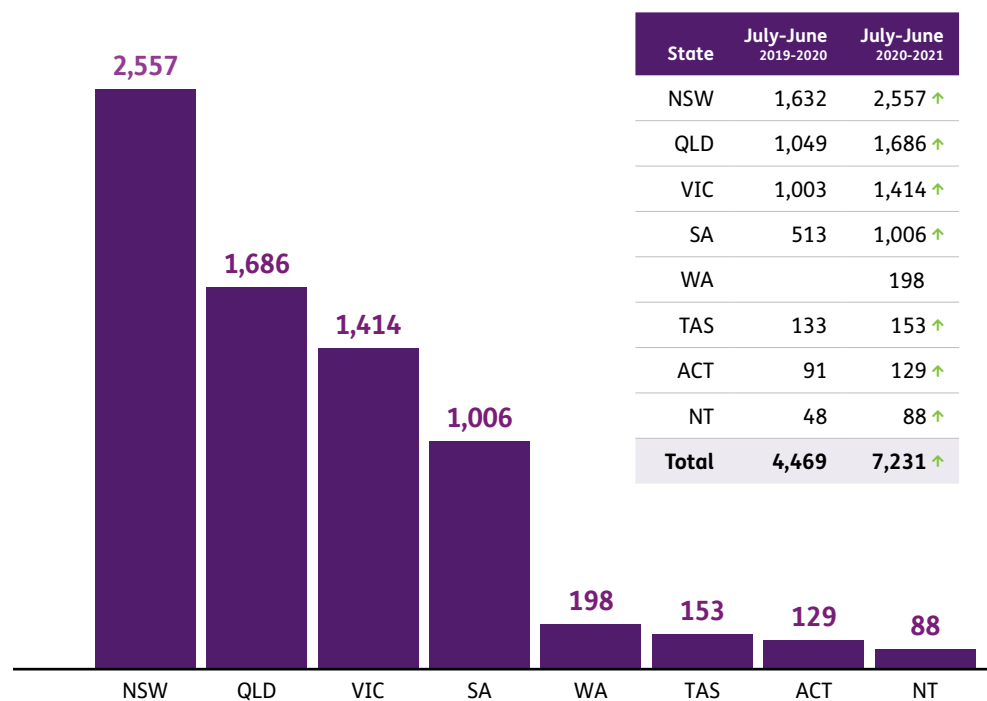
*Participant numbers are from the NDIA Q4 report as at 30 June 2021.

2) Complaints

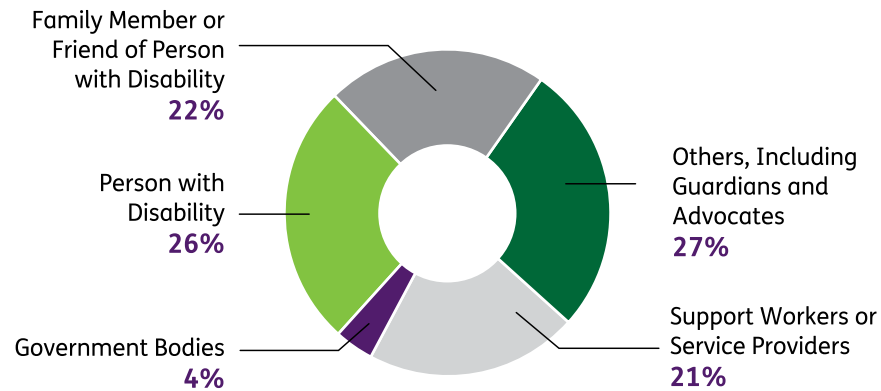
The NDIS Commission manages complaints in connection with supports and services delivered by NDIS providers and their workers. Anyone can make a complaint to the NDIS Commission about an NDIS support or service.

We received 7,231 complaints during the period 1 July 2020 to 30 June 2021.

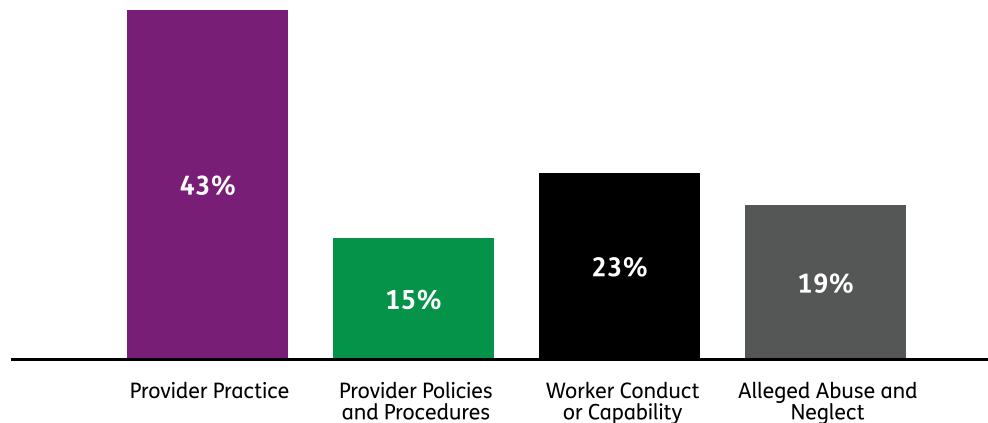
Complaints by state or territory



Complaints in the period 1 July 2020 – 30 June 2021 were received from:



Issues raised by complaints received in the period can be grouped as follows:



3) Registration

Providers must be registered to deliver NDIS supports and services to participants whose plans are managed by the NDIA. Providers must also be registered to deliver certain support types to any participant: specialist disability accommodation, behaviour support, and implementation of regulated restrictive practices.

Providers previously registered with the NDIA transferred to the NDIS Commission when the NDIS Commission started in each state and territory.

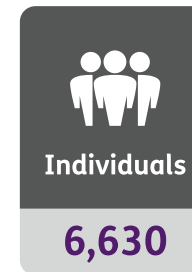
Registered Providers



There were **17,253** providers registered at 30 June 2020.

8,061 new, transitioned or renewed NDIS Commission registrations have taken place since 1 July 2020. This includes where a transitioned provider renewed their registration in the same financial year.

3,699 registrations expired since 1 July 2020, of which 91% were not active.



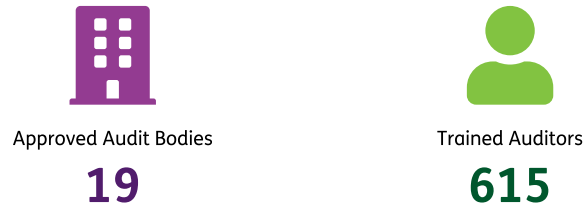
Organisations and Individuals

Registered NDIS providers include all sizes of organisations and businesses, from sole traders to large companies and not-for-profits.



Auditors and Audit Activity

To apply for or renew registration with the NDIS Commission, all providers undergo an audit against the NDIS Practice Standards. The NDIS Commissioner approves audit bodies to undertake audits under the NDIS Approved Quality Auditors Scheme. The NDIS Commission trains individual auditors. The NDIS Commission undertakes suitability assessments as part of the registration process.

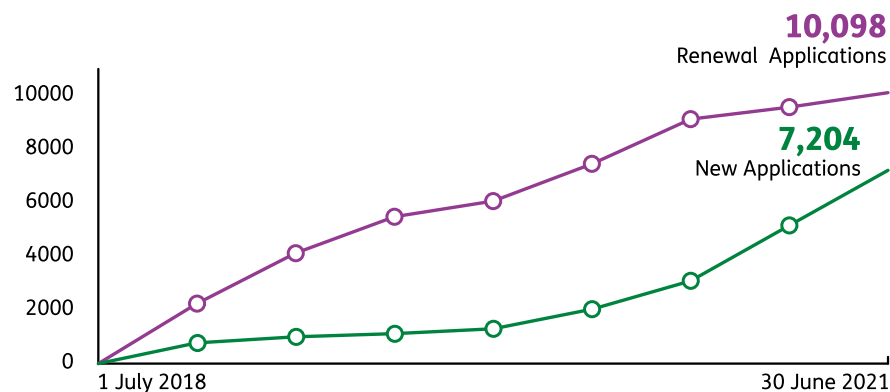


Of the 615 trained auditors, 117 new auditors were trained between 1 July 2020 and 30 June 2021. The NDIS Commission has scheduled training for a further 200 auditors during the period 1 July 2021 to 31 December 2021.

New and Renewal Applications

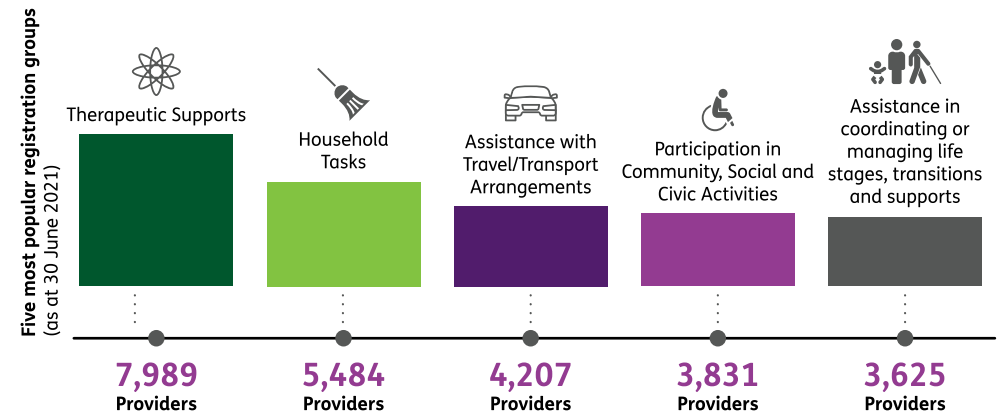
Providers must reapply to maintain their registration. Providers can also choose to let their registration lapse - for example, if they have not actively been supporting NDIS participants.

New providers are also regularly seeking to enter the NDIS market through the new NDIS Commission arrangements. New applications comprise new providers to the NDIS market who have applied to be registered and whose application is at the stage of commencing the audit process. Renewal applications comprise registered providers that transitioned to the NDIS Commission and have commenced an application to maintain their registration under the new NDIS Commission arrangements.



Five most Popular Registration Groups

The NDIS Commission registers providers against classes of support (registration groups). Providers can register for multiple registration groups.



Five Specialist Service Groups

Specialist registration groups have additional practice standards against which providers must be assessed. There are 5,077 registered organisations across the five Specialist service groups.

A number of factors contributed to a reduction in registered providers in these categories, including registrations expiring and providers that are going through re-registration removing this registration group. For example, a transitioning provider may remove a specialist registration group against which they have not been actively delivering supports and services, such that they are only audited against the practice standards for the supports and services they have been or intend to actively deliver.



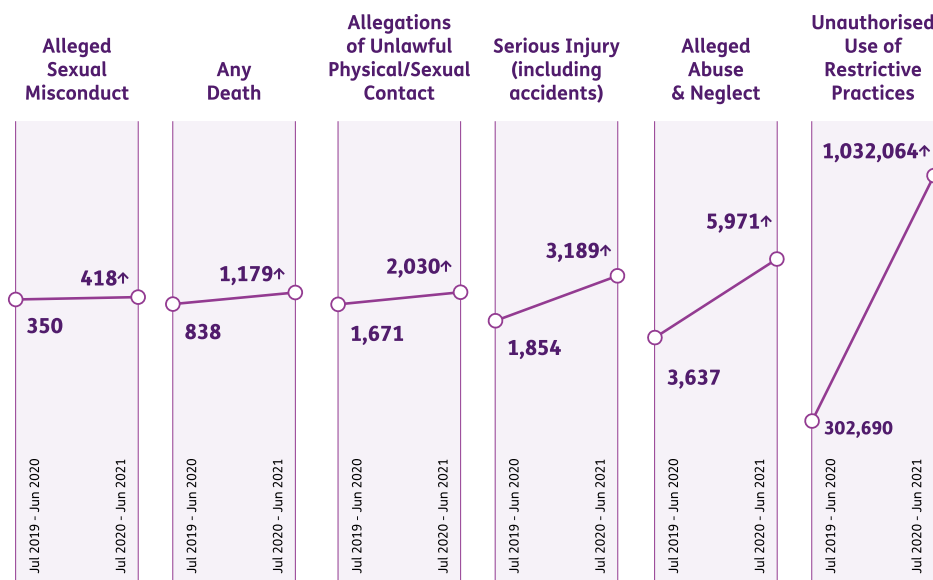
4) Reportable Incidents

NDIS providers notified the NDIS Commission of 1,044,851 reportable incidents during the period 1 July 2020 to 30 June 2021.

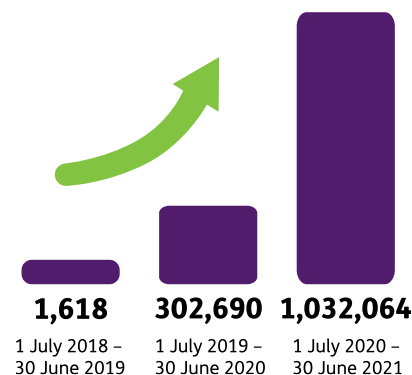
Registered providers are required to report certain incidents or allegations to the NDIS Commission that occur in connection with the provision of NDIS supports and services. The NDIS Commission monitors the management of reportable incidents by providers to determine whether they are meeting their obligations to keep participants safe.

The number of reports received does not correlate to the number of actual instances of harm to a person with disability. Reports include multiple notifications of the same matter, allegations of incidents, and situations where incidents occurred, but harm to the person was avoided.

Reportable Incidents by Category



A significant number of incidents that are reported to the NDIS Commission involve the use of restrictive practices on people with disability which have not been authorised by state and territory authorities, or where plans to promote positive behaviour supports are not in place for that person.



The increase reflects several factors including increased provider compliance with reporting requirements related to restrictive practices.

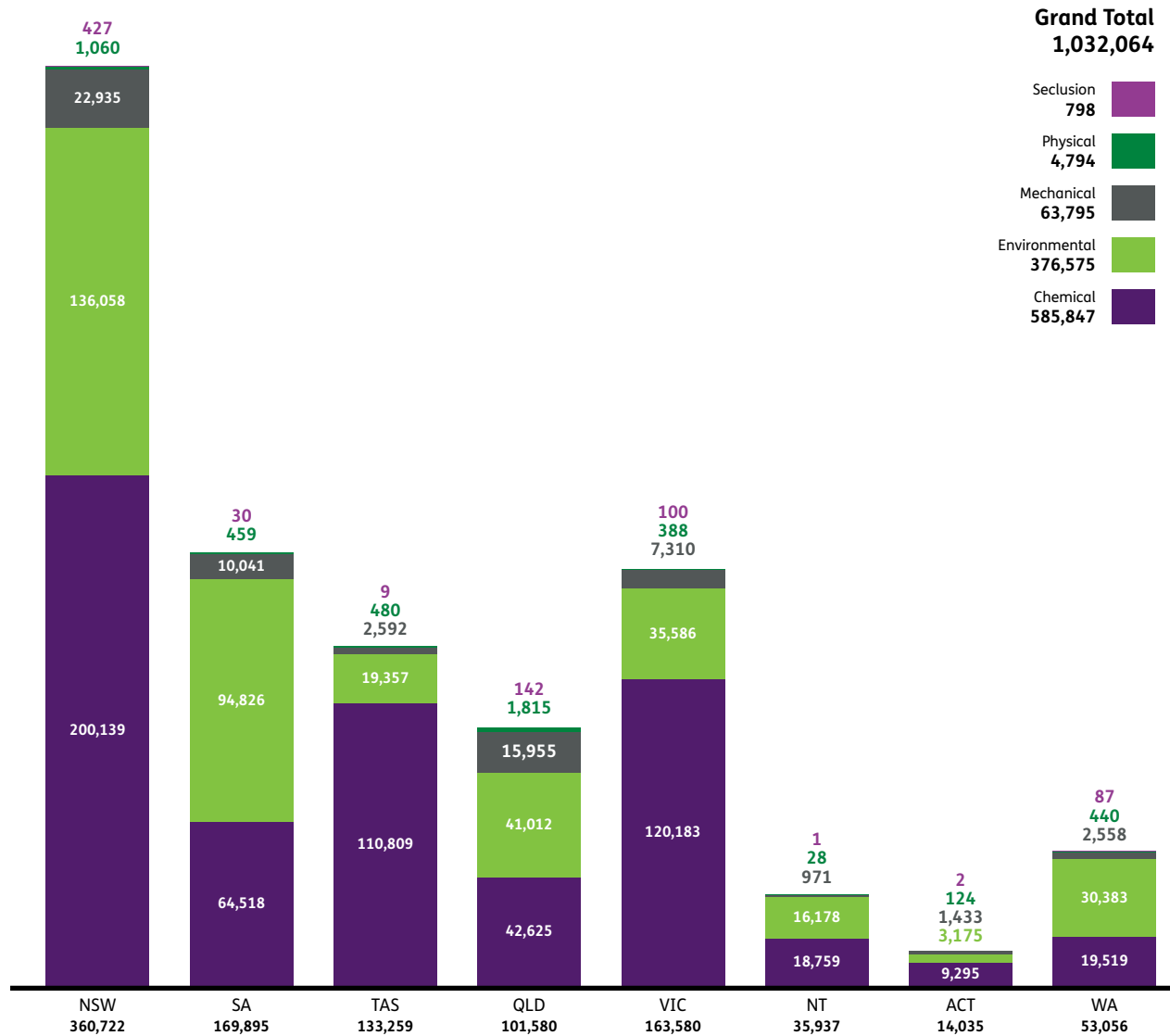
Providers indicated that Police were informed in relation to 2,891 incidents.

Repeat Reports

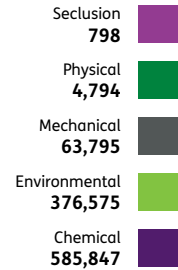
Providers are required to report every instance of a restrictive practice, including each individual use until a behaviour support plan is lodged.



Numbers of URPs by State/Territory and Type



Grand Total
1,032,064



In total, 7,862 participants were subject to URPs

A total of 788 providers of NDIS supports and services implemented URPs from 1 July 2020 to 30 June 2021.

Unauthorised Restrictive Practices

Reporting of Unauthorised use of Restrictive Practices (URP) represents 98.7% of all reportable incidents reported to the NDIS Commission during the reporting period. NDIS providers are required to report every use of a restrictive practice until that practice is authorised by a state or territory, and a behaviour support plan is put in place for the participant. For example, if a participant was given a prescribed medication as a chemical restraint three times per day, it would count as 1095 reportable incidents for July 2020-June 2021, or three reportable incidents per day until the use of the restrictive practice was authorised (if required) and a behaviour support plan was lodged.

For the participants subject to URPs in 2020/21:

- 27% were subject to only one URP during the reporting period;
- 72% were subject to 100 or fewer URPs during the reporting period;
- the median number of URPs was 15.

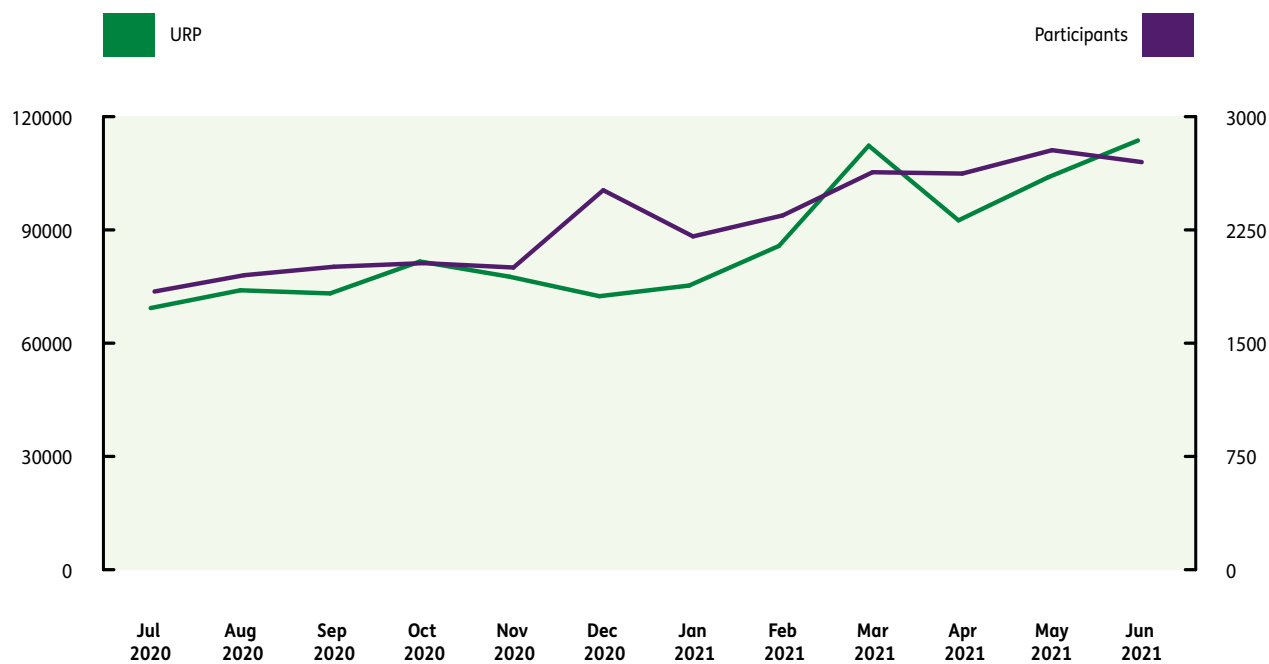
Totals include 255 URP of unspecified type



The number of notifications of URPs fluctuated from month to month, but with an increasing trend. The lowest number of notifications was 69,316 in July 2020 and the highest was 113,710 in June 2021. Some of the growth in numbers since December 2020 is a result of the NDIS Commission commencing jurisdiction for NDIS participants in Western Australia and those living in residential aged care facilities.


The number of participants subject to URPs also fluctuated month to month, from a low of 1,842 participants in July 2020 to a high of 2,778 participants in May 2021. 1,388 of the participants subject to URPs are participants in Western Australia and/or residential aged care facilities.

Numbers of URPs by Period



The NDIS Commission is continuing to focus compliance activity on the unauthorised use of restrictive practices. The compliance activity is directed at ensuring more participants who are subject to restrictive practices have the benefit of behaviour support plans and authorisation, regulated through the NDIS Commission’s behaviour support function. The behaviour support function focuses on positive behaviour support and behaviour support planning to reduce and eliminate the use of restrictive practices.

To inform ongoing compliance action, the NDIS Commission is undertaking detailed analysis of the use of URPs and behaviour support planning rates.

 This analysis will be published by the end of 2021.



5) Behaviour Support

The NDIS Commission oversees behaviour support practitioners and providers who use behaviour support strategies and restrictive practices involving NDIS participants. The NDIS Commission also provides best practice advice to practitioners, providers and participants on positive behaviour support strategies.

To inform that work, the NDIS Commission reviews provider reports on the use of restrictive practices.

Behaviour support plans are also lodged with the NDIS Commission. Since 1 July 2018, **16,118** interim and comprehensive behaviour support plans have been lodged with the NDIS Commission, 10,109 of which were lodged in this reporting period. This includes where more than one plan has been lodged for a particular participant.

Over 7,100 behaviour support plans lodged with the NDIS Commission are current, with a further 735 draft plans in progress.



Behaviour support plan consultation, advice and review

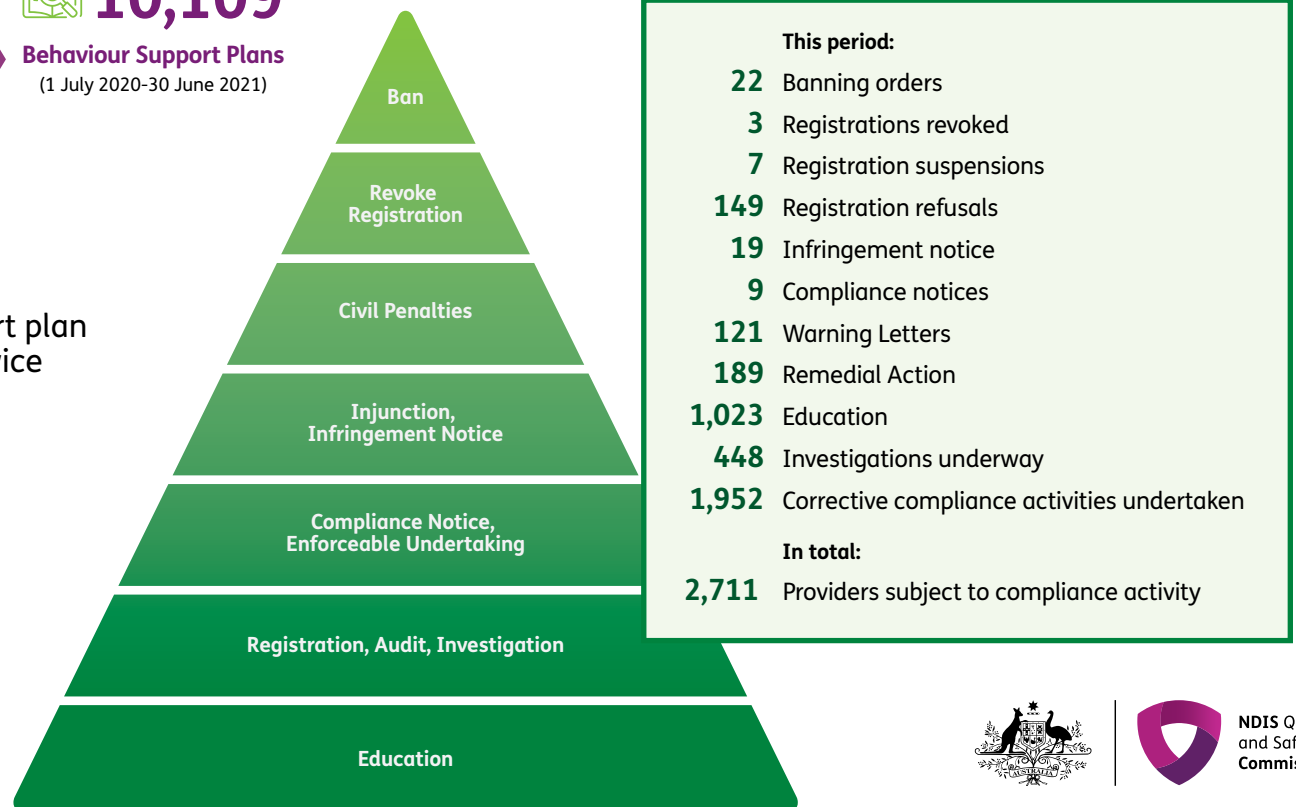
25,427

6) Compliance Activity

We undertake compliance and enforcement activities. This involves:

- applying proportionate and appropriate regulatory responses to non-compliance
- investigating matters, and taking corrective compliance action
- deploying compliance programs that address areas of identified risk of non-compliance
- working with other regulators
- participant outreach
- taking enforcement action in serious cases of persistent and high-risk non-compliance.

We use a range of compliance and enforcement powers, tools, and methods. In the most serious matters we can remove people and organisations from the NDIS market.



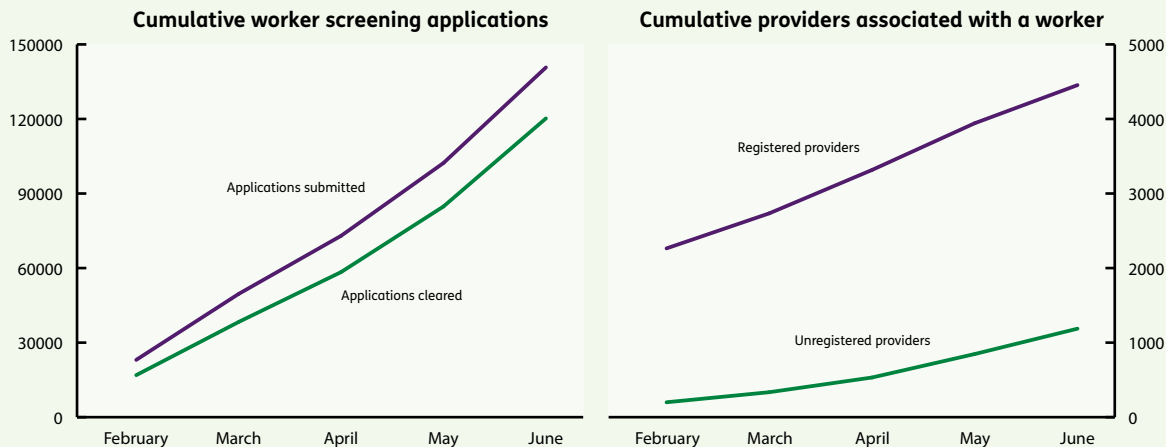
7) Worker Screening

National NDIS worker screening commenced in all states and the ACT from 1 February 2021. The Northern Territory will commence from 1 July 2021.

State and territory governments undertake the screening of individuals who seek a clearance, in accordance with state and territory laws. The Australian Government, through the NDIS Commission, is responsible for regulating NDIS provider compliance with their obligations in respect of worker screening.

Registered NDIS providers must ensure that key personnel and other workers in certain types of roles have a worker screening clearance that meets the requirements of the NDIS Practice Standards.

As of 30 June 2021, over **112,000** worker clearances have been granted, with approximately 4,500 registered providers and 1,200 unregistered providers being linked to a worker.



A number of workers have also been subject to a suspension, interim bar or exclusion.

There is a steady growth in NDIS providers connecting with at least one worker who has submitted an application for an NDIS Worker Screening Check. As workers are progressively required to apply for a Check, the numbers of workers linked with an NDIS provider will rise, as will the number of providers connecting with workers.

Both registered and unregistered providers are able to use the NDIS Commission database to check workers' clearance status.

8) Engagement

The NDIS Commission has a contact centre and education function to support people to make a complaint, receive information, or to access education.



Calls to our 1800 number

104,000+

(1 July 2020 – 30 June 2021)



Emails

31,000+

(1 July 2020 – 30 June 2021)



Worker Orientation Module

459,352 (as at 30 June 2021)



Worker Orientation Module
(Auslan Version)

4,307 (as at 30 June 2021)



Worker Orientation Module
(JAWS & Zoomtext screen reader version)

1,182 (as at 30 June 2021)



Worker Orientation Module
(JAWS & Zoomtext screen reader version)

22,859 (as at 30 June 2021)



Addendum: COVID-19 Activity 1 March 2020 to 30 June 2021

Source: NDIS Quality & Safeguards Commission

The NDIS Commission supported participants and providers in response to the COVID-19 pandemic. We reinforced the obligations of providers to maintain supports critical to the health, wellbeing and safety of NDIS participants, to plan for adjustments to services, to communicate and consult changes with participants, and to have plans to prevent and respond to infections.



We managed complaints from participants about how NDIS providers and workers supported them when restrictions were in place.

We used registered NDIS provider conditions of registration to monitor changes and risks in the NDIS market.

213
Complaints related to COVID-19

1,358
Contacts related to COVID-19

1,677
Notifications of changes to support

Notifications of supports and services affected

Between 1 March 2020 and 30 June 2021, provider notifications submitted to the NDIS Commission indicated the main supports and services affected were:



Note that a single notification may relate to more than one type of support. The NDIS Commission has continually updated this data to ensure accuracy. As such, counts of notifications for some service types have decreased as it has become apparent that these service types were not impacted.



Infections

Between 1 March 2020 and 30 June 2021, the NDIS Commission was notified of **183** participants and **221** workers who returned positive tests for COVID-19. Sadly, 9 participants and 1 worker are deceased. The Department of Health now publishes NDIS participant COVID-19 infection rates.

Impacted persons by state

Victoria		New South Wales		Queensland, South Australia, Tasmania	
Participant infections	170	Participant infections	12	Participant infections	1
Deaths	7	Deaths	2	Deaths	0
Worker infections	196	Worker infections	13	Worker infections	12
Deaths	1	Deaths	0	Deaths	0

(employee of the Victorian state government, not an NDIS worker)



Due to low numbers in these states total numbers have been reported. The NDIS Commission receives notifications of Covid infections of workers and NDIS participants. More than one provider may report the same infection. The NDIS Commission regularly reconciles the notifications it receives, including where there is duplication.

The NDIS Commission has continually provided information to service providers about their obligations to safely and competently provide supports and services to people with disability during the pandemic. We have issued:

COVID-19 Pandemic

Providers: 93 provider alerts, 7 fact sheets; 1 information pack for NDIS providers and workers.

Participants: 4 fact sheets; 1 information pack for NDIS participants; 1 joint NDIS Commission and NDIA open letter to all Victorian participants and their families and carers.

