



NDIS Quality  
and Safeguards  
Commission



# Corporate Plan 2019-2020

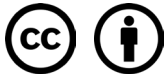
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### Acknowledgement

This Corporate Plan is dedicated to the talent as featured in our “Speak Up” awareness campaign designed to empower participants to speak up about the quality and safety of their supports if they need to. (Front cover: Ricky.)



## Message from the Commissioner, Graeme Head

1 July 2019 saw the NDIS Commission reach another significant milestone; with jurisdiction in all states apart from Western Australia (WA), we are a step closer to a national quality and safeguarding system for the National Disability Insurance Scheme (NDIS). I look forward to WA joining the NDIS Commission from 1 July 2020 and the commencement of a truly national scheme - allowing us to protect and promote the health and wellbeing of **every** Australian who receives services and supports under the NDIS.

With five new jurisdictions on board, this year will see our emphasis shifting from transition management to strengthening the delivery of each of our core and specific functions to drive improved outcomes for people with disability.

As the Commissioner, I am pleased to present the Corporate Plan for 2019–20 that covers the period 2019–20 to 2022–23, prepared in accordance with section 35(1) (b) of the Public Governance, Performance and Accountability Act 2013 (the PGPA Act).

I am proud of our achievements in the first year of operation. We are ready to deliver the next phase of embedding the new national regulatory system for the NDIS. We will do this by implementing a range of activities focused on preventing, reporting, investigating and responding to harm against people with disability. We will work with people with disability, their families, carers and advocates to empower them to speak up against abuse, neglect and harm; and with service providers, workers and our partner agencies and the broader disability services sector to keep ahead of challenges in our environment.

This Corporate Plan will guide the NDIS Commission as it progressively takes jurisdiction nationally by 1 July 2020. It sets out our focus and strategic direction for this year and into the future. With our stakeholders, we aim to embed the nationally consistent arrangements to support the delivery of quality and safe NDIS services and supports.

I welcome your feedback on the Corporate Plan and encourage your comments and suggestions at [engagement@ndiscommission.gov.au](mailto:engagement@ndiscommission.gov.au)

I look forward to building on our experience to date and meeting the challenges and opportunities that lie ahead for us all to achieve the vision of the NDIS and the benefits of the scheme for people with disability, their families and the broader community.

**Graeme Head AO**

NDIS Quality and Safeguards Commissioner

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## Statement of preparation

I, Graeme Head, as the accountable authority of the NDIS Quality and Safeguards Commission, present the 2019-20 Corporate Plan, which covers the next four annual reporting periods from 2019-20 through 2022-23, as required under section 35(1)(b) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act).

### **Graeme Head AO**

NDIS Quality and Safeguards Commissioner

Dated: 30 August 2019

Our purpose is to regulate NDIS providers in a nationally consistent, responsive and effective way

## Our purpose and achieving it

The NDIS Quality and Safeguards Commission's (NDIS Commission) purpose is to work with people with disability, providers and the community to deliver nationally consistent, responsive and effective regulation of providers. We promote the provision of safe and quality supports and services to people with disability under the National Disability Insurance Scheme (NDIS). We will approach our responsibilities in a consultative and inclusive way. We are guided by the underpinning principles in the *National Disability Insurance Scheme Act 2013* (the NDIS Act).<sup>1</sup>

## Our vision

Our vision is for people with disability to receive quality and safe supports and services under the NDIS.

## Our values

Our values reflect those of the broader Australian Public Service and are central to the way we work with stakeholders.<sup>2</sup>

## Our commitment

We will:

- ◆ consult and co-operate with stakeholders on the performance of our functions,
- ◆ give people with disability every opportunity to participate in discussions that relate to them and take into consideration their wishes and views about those matters,
- ◆ conduct compliance and enforcement activities in a risk responsive and proportionate manner, and
- ◆ promote the development of a diverse, high quality and sustainable NDIS market.

## Our core functions

The NDIS Quality and Safeguards Commissioner has core functions that are set out in section 181E of the NDIS Act.<sup>3</sup> These core functions are:

- ◆ upholding the rights and promoting the health, safety and wellbeing of people with disability receiving supports or services, including those received under the NDIS,
- ◆ developing a nationally consistent approach to managing quality and safeguards for people with disability receiving supports or services, including those received under the NDIS,
- ◆ promoting the provision of advice, information, education and training to NDIS providers and people with disability,
- ◆ securing compliance with the NDIS Act through effective compliance and enforcement arrangements,

<sup>1</sup> *National Disability Insurance Scheme Act 2013* (the NDIS Act)

<sup>2</sup> *Australian Public Service Values – Australian Public Service Act 1999 Part 3, section 10*

<sup>3</sup> *National Disability Insurance Scheme Act 2013* (the NDIS Act)



- ◆ promoting continuous improvement amongst NDIS providers and the delivery of progressively higher standards of supports and services to people with disability,
- ◆ developing and overseeing 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,
- ◆ providing advice or recommendations to the National Disability Insurance Agency (NDIA) or the NDIA Board in relation to the performance of the NDIA's functions,
- ◆ engaging in, promoting and coordinating the sharing of information to achieve the objects of the NDIS Act, and
- ◆ providing NDIS market oversight, including:
  - by monitoring changes in the NDIS market which may indicate emerging risk, and
  - monitoring and mitigating the risks of unplanned service withdrawal.

In addition, the NDIS Quality and Safeguards Commissioner has the following functions:

- ◆ the registration and reportable incidents function (pursuant to section 181F of the NDIS Act),
- ◆ the complaints function (pursuant to section 181G of the NDIS Act), and
- ◆ the behaviour support function (pursuant to section 181H of the NDIS Act).



Carly



## Portfolio Budget Statements: key priorities for 2019-20

As per the 2019-20 Portfolio Budget Statements (PBS)<sup>4</sup> the key priorities for the NDIS Commission are to:

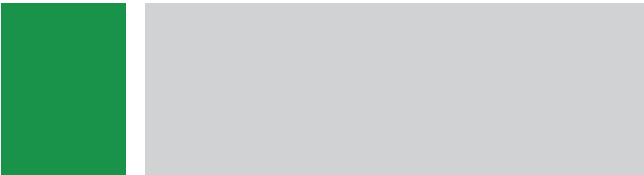
- ◆ continue the operation of the national office for the NDIS Commission as well as the regional offices for New South Wales and South Australia; to commence operations in Queensland, Victoria, Tasmania, the Northern Territory and the Australian Capital Territory for 1 July 2019; and to work towards establishing operations in Western Australia for 1 July 2020,
- ◆ engage with NDIS participants, their families, carers and providers to improve the quality and safety of NDIS supports and services,
- ◆ ensure that participants are empowered to exercise their rights to access good quality services, as informed, protected consumers, with participants able to make complaints to the NDIS Commission about services that do not meet the NDIS Code of Conduct and Practice Standards,
- ◆ provide oversight of reportable incidents and complaints relating to abuse and neglect of people with disability who receive NDIS supports and services,
- ◆ build intelligence to monitor and forecast changes in the NDIS market and serious incidents affecting NDIS participants, to develop an informed view of quality and risk in the sector,
- ◆ lead the reduction and elimination of the use of restrictive practices in the NDIS by providing leadership in behaviour support,
- ◆ develop the NDIS Commission to ensure it has the systems, skills and capabilities to regulate, support and educate the providers and participants to promote continuous improvement,
- ◆ draw information from across NDIS Commission functions to report on the experience of people with disability who receive NDIS services and develop information and education to build the capability of NDIS providers to deliver safe and quality services, and
- ◆ work with the Department of Social Services (DSS) and states and territories to implement nationally consistent NDIS worker screening and market oversight activities.

<sup>4</sup> Budget 2019-20 Portfolio Budget Papers – Budget Related Paper No. 1.15 A Social Service Portfolio



The advertisement features a photograph of a man, Frank, sitting in a wheelchair outdoors. He is wearing a blue t-shirt and glasses, and has a small dog, Elvis, sitting on his lap. The background shows green foliage. In the top left corner, there is the Australian coat of arms and the NDIS Quality and Safeguards Commission logo. A purple speech bubble contains the text: 'If you need to speak up, speak to us. Your rights. Your supports. Your control.' Another white speech bubble contains the text: 'If you need to make a complaint, call 1800 035 544 or visit [ndiscommission.gov.au/complaints](https://ndiscommission.gov.au/complaints)'.

Frank and his dog, Elvis



Our emphasis is shifting towards optimising each of our core and specific functions

## Operating environment

As we take jurisdiction nationally and operate within a growing consumer-controlled disability services marketplace, where our stakeholders, providers and people with disability are learning about the new national quality and safeguarding arrangements, our emphasis shifts from transition management to optimising each of our core and specific functions to drive improved outcomes for people with disability.

As the sector undergoes this significant change, we want to ensure that market expansion occurs with appropriate regulatory oversight of NDIS services and supports.

For providers, this means looking at their service offerings to respond to consumer demand and to also meet the new regulatory requirements. For people with disability, this means supporting them to understand their rights and the avenues available to them to complain about services or supports they select under the NDIS.

Within this complex operating environment, we have an opportunity to work more closely with our partner agencies and stakeholders to uphold the rights of people with disability in order to realise the benefits of the NDIS.

We have a wide variety of stakeholders with whom we engage extensively, including:

- ◆ **People with disability:** we seek, value and act upon the input from people with disability, carers and advocates,
- ◆ **Providers:** in addition to the obligations on registered NDIS providers to engage with us in the regulatory processes of registration and mandatory notification of reportable incidents, we will engage with them through a variety of channels to promote active engagement and collaboration towards improving the quality and safety of supports and services,
- ◆ **States and territories:** we work extensively with state and territory governments, to facilitate the exchange of information to support the performance of our functions and to deliver behaviour support restrictive practice authorisation and worker screening. They have led the quality and safeguarding arrangements during the transition to the NDIS, and in the years leading up to this major reform. They are also well placed to provide information to us on the trends and issues within their jurisdiction,
- ◆ **National Disability Insurance Agency (NDIA):** we and the NDIA share data and intelligence to identify new and emerging risks in the market, assess provider risks, help to resolve complaints, and implement developmental and preventative measures to support NDIS participants,
- ◆ **Other government agencies:** we work with a variety of agencies, through information sharing and supporting each others' work. These include the Australian Securities and Investments Commission (ASIC), the Australian Competition and Consumer Commission (ACCC), the Department of Social Services (DSS), the Department of Health (DOH) and Australian Health Practitioner Regulation Agency (AHPRA).

## Our regulatory scheme

We provide appropriate regulatory oversight through our regulatory scheme as described in the NDIS Act and supported by the NDIS Rules,<sup>5</sup> which articulate expected provider behaviour. Figure 1 below represents our regulatory scheme.

Figure 1: NDIS Commission's regulatory scheme



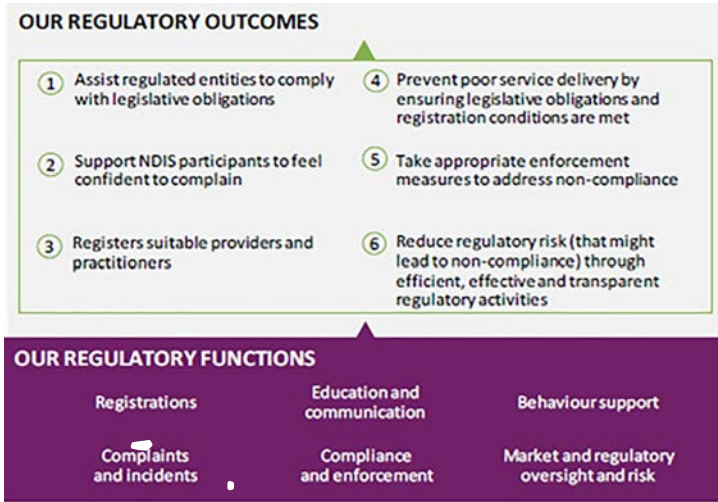
<sup>5</sup> NDIS Quality and Safeguards Commission Rules



## Our regulatory approach

Our regulatory approach informs our operating model and is comprised of our regulatory outcomes and functions. Figure 2 outlines our regulatory approach.

Figure 2: NDIS Commission’s regulatory outcomes and functions



As a new regulator, much of our effort to date has focused on establishing and implementing the new regulatory framework and educating and supporting participants, providers and other stakeholders as they transition to the new quality and safety regulatory requirements. This work will necessarily continue past the first year of operation.

## Our regulatory focus for 2019-23

In 2019-23 our focus will be:

- ♦ educating and informing participants, providers and others about their respective rights and responsibilities under the NDIS Act and associated Rules,
- ♦ monitoring providers’ compliance with obligations to prevent, manage and report serious incidents,
- ♦ using the registration process to ensure that all registered providers meet suitability criteria and that the findings of provider audits against the practice standards are driving continuous improvement,
- ♦ targeting action on providers that have been the subject of adverse findings, including using trends in complaints and reportable incident notifications or enforcement action or analysis by other authorities (such as the findings of past death reviews conducted by some states and territories) to inform compliance and monitoring activities,
- ♦ moving to full utilisation of the array regulatory tools provided to the available to the NDIS Commission.

Our priorities are subject to a number of external factors

In 2019-20 our key regulatory strategies will be to:

- ◆ support participants to exercise their rights to access good quality services as informed, protected consumers, with participants able to make complaints to the NDIS Commission about services that do not meet the NDIS Code of Conduct and Practice Standards,
- ◆ provide oversight of reportable incidents and complaints relating to abuse and neglect of people with disability who receive NDIS supports and services,
- ◆ build intelligence to monitor and forecast changes in the NDIS market and serious incidents affecting NDIS participants, to develop an informed view of quality and risk in the sector.

## Governance

A key factor in our success going forward will be our capacity to respond flexibly and in a timely way to issues that impact on quality and safety. The effectiveness of our role is monitored through the oversight and governance arrangements applying to it, including through, the Council of Australian Governments (COAG) Disability Reform Council (DRC) and its associated working groups.

Our internal corporate governance framework assists us to achieve our strategic goals while complying with legislation and policies, maintaining performance standards and making the most cost-effective use of resources.

Our priorities are subject to a number of external factors. In particular, in coming years this will include a review of the NDIS Quality and Safeguarding Framework<sup>6</sup> (NDIS Framework) and the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.

The Decision Regulation Impact Statement (RIS) for the NDIS Framework states that a review would begin in mid-2021, three years after its commencement. The review will cover the efficiency and effectiveness of the NDIS Framework in meeting its objectives. It will also identify any unintended consequences arising from its implementation and any weaknesses in the NDIS regulatory framework. The report is to be provided to the DRC by mid-2022.

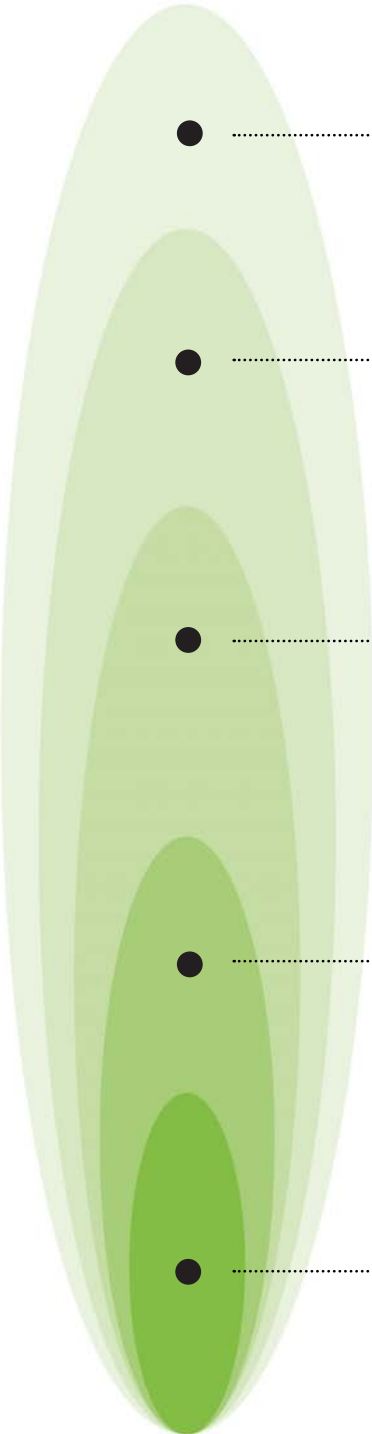
In addition, the terms of reference for the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability require that the Royal Commissioners have regard to certain matters, including “all aspects of quality and safety of services, including informal supports, provided by governments, institutions and the community to people with disability, including the National Disability Insurance Scheme (NDIS) and the NDIS Framework agreed by all Australian Governments in 2017”.<sup>7</sup>

<sup>6</sup> NDIS Quality and Safeguarding Framework – December 2016

<sup>7</sup> Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability - terms of reference - 4 April 2019.



## How we will engage with our stakeholders



### Empower

**We will promote the rights of people with disability**

All stakeholders

### Collaborate

**We will work with you**

People with disability, their carers and representatives, state and territories (policy and regulatory authorities, consumer authorities) Commonwealth (including Ministers, DSS, DHS, NDIA, Health, Ombudsman) Consumer peak bodies

### Involve

**We will ask for your help in communicating to target audiences**

People with disability, their carers and representatives, providers, state and territories (policy and regulatory authorities, consumer authorities) Commonwealth (DSS, NDIA, DHS, Health, Ombudsman) Consumer and Provider peak bodies, Advocates, Unions, Professional associations

### Consult

**We will seek your feedback**

People with disability, their carers and representatives, state and territories (policy and regulatory authorities, consumer authorities) Commonwealth (DSS, NDIA, DHS, Health, Ombudsman) Consumer and Provider peak bodies, Advocates, Unions, Professional associations

### Inform

**We keep you informed**

All stakeholders

We prepare plans to ensure we meet performance measures, and we use data to evaluate our performance

## Our performance

The performance measures in this section are designed to cover core aspects of our work, and are consistent with our outcomes listed in the 2019-20 PBS. The measures have been updated from last year's Corporate Plan; this is a result of the maturation in the NDIS Commission's planning following commencement as a new agency. Teams within the NDIS Commission prepare plans designed to ensure we meet performance measures, and generate data to enable our performance to be measured/evaluated.

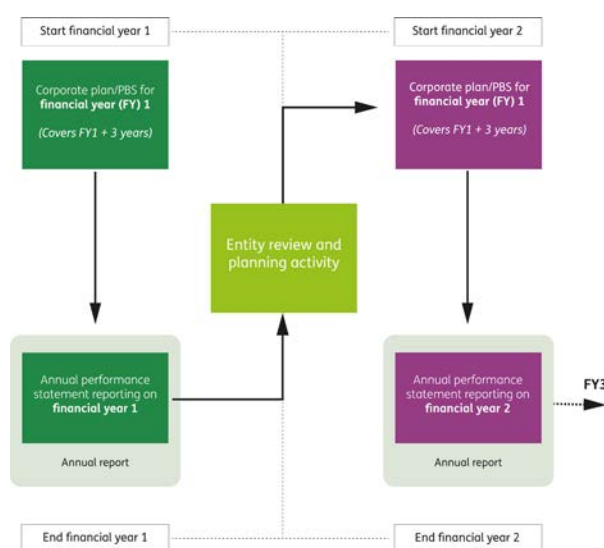
As a regulatory body, we are also required to assess our performance via the Regulator Performance Framework (RPF).<sup>8</sup> The RPF has outcomes-based key performance indicators and measures of good regulatory performance. For the 2019-20 reporting period, we will report on the RPF separately by publishing a self-assessment. For subsequent reporting periods, we intend to incorporate the RPF assessment into our Corporate Plan and report on it in our annual reports.

## Tracking our performance

We are required under the Public Governance, Performance and Accountability Act 2013 (PGPA Act)<sup>9</sup> to report our performance. We will report on our performance measures in our annual performance statements, which are included in our annual report, for each reporting period listed in the Corporate Plan.

Figure 3 shows the line of sight between the Corporate Plan, PBS, annual performance statement, our planning and evaluation activity.

Figure 3: The annual performance reporting cycle (Department of Finance RMG 130)<sup>10</sup>



<sup>8</sup> Regulator Performance Framework

<sup>9</sup> PGPA Act

<sup>10</sup> Resource Management Guide No. 130

## Performance measures

The following table demonstrates the links between our 2019-20 PBS and this Corporate Plan. This provides the basis for our performance information.

			2019-20	2019-21	2019-22	2019-23	PBS Program	
Our regulatory response is appropriate	We identify system risk	Being influential and wellregarded	How do we measure our success?					
Our regulatory response is appropriate	We identify system risk	Being influential and wellregarded	Participant experiences with us are positive	√	√	√	√	1.2
Our regulatory response is appropriate	We identify system risk	Being influential and wellregarded	NDIS participants are increasingly confident to complain	√	√	√	√	1.2
Our regulatory response is appropriate	We identify system risk	Being influential and wellregarded	Our decisions have integrity	√	√	√	√	1.1, 1.2
Our regulatory response is appropriate	We identify system risk	Being influential and wellregarded	We are using the right regulatory interventions to produce the right outcome	√	√	√	√	1.1, 1.2
Our regulatory response is appropriate	We identify system risk	Being influential and wellregarded	We effectively resolve complaints	√	√	√	√	1.2
Our regulatory response is appropriate	We identify system risk	Being influential and wellregarded	Increasing numbers of providers are resolving complaints directly with participants	√	√	√	√	1.1
Our regulatory response is appropriate	We identify system risk	Being influential and wellregarded	We are providing leadership in the practice of positive behaviour support and in the reduction and elimination of the use of restrictive practice	√	√	√	√	1.1, 1.2
Our regulatory response is appropriate	We identify system risk	Being influential and wellregarded	We are registering providers to ensure market capacity to provide quality support, including through appropriate audits	√	√	√	√	1.1
Our regulatory response is appropriate	We identify system risk	Being influential and wellregarded	We are enabling and engaging the NDIS market to mature with diverse composition and increasing compliance	√	√	√	√	1.1
Our regulatory response is appropriate	We identify system risk	Being influential and wellregarded	We are well regarded and are able to influence other system players	√	√	√	√	1.2
Our regulatory response is appropriate	We identify system risk	Being influential and wellregarded	Sound governance informs our operation and decisions	√	√	√	√	1.2
Our regulatory response is appropriate	We identify system risk	Being influential and wellregarded	We will establish office locations across Australia	√	√	N/A	N/A	1.2
Our regulatory response is appropriate	We identify system risk	Being influential and wellregarded	We have strengthened the capacity and capability of the NDIS Commission	√	√	√	√	1.2
Our regulatory response is appropriate	We identify system risk	Being influential and wellregarded	We are developing our performance metrics, data analytics capacity and evaluation framework	√	√	√	N/A	1.2



Our focus is on delivering on our regulatory responsibilities and improving the performance of NDIS providers

## Capability

In order to deliver on our functions nationally, we are focusing on six strategic capabilities to effectively build and deliver on our regulatory responsibilities and improve the performance of NDIS providers. Our goals, strategic capabilities and performance measures will guide and govern the organisation throughout 2019-20 to 2022-23.

### Strategic capabilities

The six strategic capabilities are outlined below:

#### **Strategic capability 1: Maintaining linkages**

Identify, establish and maintain stakeholder relationships across the NDIS system, while maintaining our independence through:

- ♦ strong relationships with key external stakeholders,
- ♦ a clear purpose and expectation on how we will interact with our stakeholders, and
- ♦ formal information sharing arrangements with our partner agencies to support us to be informed and connected across the system.

#### **Strategic capability 2: Evidence and risk-based decision making**

Enable evidence and risk-based decision making to allow rapid responses to urgent and high-risk issues to avoid or minimise unintended outcomes through:

- ♦ Decision making tools that enable evidence and risk-based decision making, and sound administrative decision making (against the provisions in the NDIS Act and associated Rules) and risk-responsive regulation,
- ♦ systems that maintain the integrity of information at all stages to ensure access to the right information is available at the right time, and
- ♦ strong relationships with the NDIA, advocacy and other bodies to support the delivery of information to, and appropriate referral for people with disability at critical times.

#### **Strategic capability 3: Research, evaluation, data and analysis**

Produce insights and intelligence through the analysis of data from across our functions, other sources such as the NDIA, regulators and open sources, through:

- ♦ collecting information and linking data with other available information to build intelligence about the quality of services and the areas of risk for participants and market changes,
- ♦ creating a culture that encourages the intelligent and consistent use of information to improve outcomes for people with disability in the NDIS,
- ♦ efficiently using information from a range of sources to inform activities, including contemporary research, inquiries, and traditional and social media platforms, and
- ♦ developing our ability to analyse data to evaluate and improve our performance as a regulator.



#### **Strategic capability 4: Anticipating emerging risks**

Identify patterns of behaviour and predict risks before they occur and manage and mitigate those risks by:

- ♦ developing an overarching view of the NDIS market, and sub-markets to understand how risk can be identified and mitigated at a system level,
- ♦ understanding the points at which risks could occur and work with providers and other bodies to initiate interventions to reduce the likelihood of risk occurring, and
- ♦ building workforce capability to identify patterns and trends that might indicate risk and respond accordingly.

#### **Strategic capability 5: Building an understanding of our role**

Manage expectations of our role and performance, with the community and key stakeholders through:

- ♦ communicating our role, function and performance measures to participants, providers and key stakeholders,
- ♦ training and supporting our staff to understand our role and the scope of our work,
- ♦ ensuring we act with integrity and independence as a regulator, and
- ♦ providing and supporting the provision of education and materials for providers so that they can improve the quality of supports and services they provide.

#### **Strategic capability 6: Organisational learning, renewal and innovation**

Produce insights to inform innovation and to improve our organisational capacity over time by:

- ♦ building our corporate learning and corporate knowledge,
- ♦ establishing processes to identify risk and capture and adopt innovation,
- ♦ involving staff at all levels through performance improvement activities, and
- ♦ learning from our partners including other regulators.

These strategic capabilities are intended to complement our business capabilities, such as:

- ♦ Leadership and Governance
- ♦ Practices and Performance
- ♦ Process
- ♦ People and Organisation
- ♦ Systems
- ♦ Integration.

This is not to diminish the importance of the capabilities set out above – but rather to highlight some specific capabilities that we must ‘get right’ if we are to meet our regulatory obligations.

## Enabling functions

Underpinning the above strategic capabilities are our enabling functions. These include:

- ◆ **Corporate governance:** manage and provide support to the NDIS Commission's governance processes of a committee, specific governance body or regulatory function,
- ◆ **Ministerial and Parliamentary services:** liaise with and support the portfolio, Minister, Assistant Minister and Executive on Cabinet, ministerial and parliamentary matters,
- ◆ **Secretariat:** liaise with and support the NDIS Commission to participate in and report to external governance groups, COAG DRC and working groups,
- ◆ **Policy and Strategy:** develop and provide policy and strategic advice across the NDIS Commission, including identifying situations where changes to policy will better support the legislative intent of our regulatory scheme,
- ◆ **General Counsel:** prosecution for civil penalty, Administrative Appeals Tribunal appeals, advise on all legislative, regulatory and contractual issues that affect the NDIS Commission's activities,
- ◆ **Information technology platforms and support:** develop, implement, manage information technology services and solutions to support our staff, stakeholders and communication channels, and provide technical and general administrative support such as business management, data entry, and an translating and interpreting service,
- ◆ **Human resources:** manage and provide support to the NDIS Commission's personnel, including activities such as recruitment, training and development and management of payroll, work health and safety,
- ◆ **Finance:** monitor accounts, undertake documentation, calculate and investigate the cost of wages, materials, overheads and other operating costs, provide support for travel and accommodation arrangements, and manage internal and external budget, costs, funding and related processes,
- ◆ **Communications and Engagement:** internal communications and distribution of information to NDIS Commission personnel and the coordination and delivery of external communications, marketing and education activities, and
- ◆ **Other corporate functions:** property management, records and knowledge management, procurement and contracting, management and planning.

We undertake some of these functions internally and other enabling services have been outsourced to the DSS.





A key factor for our success is our capacity to respond flexibly and in a timely way

## Research, evaluation, data and analysis capability

Our strategic capabilities include building our performance information and designing evaluation methods in conjunction with the development of data sources to establish an integrated monitoring and evaluation system. The data and analysis outputs will have multiple purposes, including: informing changes to our functions and operations and market interventions, and our reports to government and the Australian public so we can share an understanding of what we are achieving as a whole.

This capability will inform continuous improvement across all of our functions, including compliance and enforcement, and will also inform the review of the NDIS Framework.

A key factor for our success is our capacity to respond flexibly and in a timely way to emerging issues on quality and safety. The ability to monitor and evaluate our performance and operations is critical to the agency being a responsive and agile regulator. The development and implementation of an integrated data analytics, reporting function, evaluation framework and research strategy, during 2019-2023 will support and inform our understanding of our effectiveness, responsiveness to change, and performance reporting.

## Focus on our people

We are building a high performing workforce, driven by strong leadership, shared values and culture to meet our operational responsibilities. We are prioritising effective staff recruitment and development to help support our capability levels.

## Risk oversight and management

We manage risk in accordance with the Commonwealth Risk Management Policy and our Risk Management Framework. The Risk Management Framework sets out our Risk Management Policy and governs how we identify, manage and communicate risks and outlines strategies for preventing adverse outcomes to its business.

Our Risk Management Framework covers all aspects of the organisation's operations. This is supported by our internal audit program that provides assurance on business processes and performance as well as compliance with the relevant statutory requirements, including those under the PGPA Act. Our approach to risk management is based on the Australian/New Zealand International Standard on Risk - and the Commonwealth Risk Management Policy, which supports us meeting our obligations under the PGPA Act.

The Executive Leadership team, including the Accountable Authority, has overarching responsibility for the risk management framework and is supported by the Chief Risk Officer and the Audit Committee. The Chief Risk Officer and the Audit Committee are responsible for reviewing and assuring the appropriateness of our systems of risk oversight and management.

The Audit Committee is made up of two external members (including independent chair) and the General Counsel. It meets four times a year and representatives from the Australian National Audit Office, the Chief Operating Officer, the Chief Finance officer and the Corporate Service

Director attend regularly to attend particular agenda items or as agreed with the independent chair.

We are launching a project to develop and implement a risk management approach. The approach includes an assessment and management plan tailored to the NDIS Commission, consistent with the Australian National Audit Office's *Administering Regulation – Achieving the right balance* better practice guide.





## Glossary

**Commissioner** means the NDIS Quality and Safeguards Commissioner.

**NDIA** means the National Disability Insurance Agency.

**NDIS** means the National Disability Insurance Scheme.

**NDIS Act** means the National Disability Insurance Scheme Act 2013 (Cth).

**NDIS Commission** means the NDIS Quality and Safeguards Commission.

**NDIS Provider** means a person or entity who is an NDIS provider as defined in section 9 of the NDIS Act.

**NDIS Rules** means the legislative instruments made under the NDIS Act.

They set out the more detailed operation of the NDIS and accompany - and should be read in conjunction with - the NDIS Act.

Among others, there are NDIS Rules on:

- ◆ [Becoming a Participant \(external\)](#) (External website)
- ◆ [Supports for Participants \(external\)](#) (External website)
- ◆ [Children \(external\)](#) (External website)
- ◆ [Nominees \(external\)](#) (External website)
- ◆ [Plan Management \(external\)](#) (External website)
- ◆ [Registered Providers of Supports \(external\)](#) (External website)
- ◆ [Protection and Disclosure of Information \(external\)](#) (External website)
- ◆ [Inter-governmental agreements.](#)

**Participant** means a person who is a participant in the NDIS (see sections 28, 29 and 30 of the NDIS Act).

**Person with Disability/People with Disability** means an NDIS Participant, and also a person with disability who is not eligible to be a Participant, but who receives funded supports (for example, children under age 7 who are receiving early intervention support) and people who are receiving support under the Commonwealth Continuity of Support Programme relating to Specialist Disability Services for Older people prescribed by the National Disability Insurance Scheme (NDIS Provider Definition) Rules 2018.

**Portfolio Budget Statements (PBS)** is the information on the proposed annual allocation of funds to achieve government outcomes. They include budget statements for the department/ agency as well as entities working under the portfolio. The statements provide information to assist parliament to understand the purpose of each outcome.

**Restrictive practice** is anything that restricts the rights or freedom of movement of a person with disability. This is in the context of the NDIS Commission regulating and monitoring the restrictive practices described in the National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018: seclusion, chemical restraint, mechanical restraint, physical restraint and environmental restraint.

**Worker** means a person employed or otherwise engaged (including volunteers) by an NDIS provider.

## References

1. [National Disability Insurance Scheme Act 2013](#) (the NDIS Act)
2. Australian Public Service Values – [Australian Public Service Act 1999](#) Part 3, section 10
3. [National Disability Insurance Scheme Act 2013](#) (the NDIS Act)
4. [Budget 2019-20 Portfolio Budget Papers – Budget Related Paper No. 1.15 A Social Service Portfolio](#) – NDIS Quality and Safeguards Commission
5. [NDIS Quality and Safeguards Commission Rules](#)
6. [NDIS Quality and Safeguarding Framework](#) – December 2016
7. [Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability - terms of reference - 4 April 2019](#)
8. [Regulator Performance Framework](#)
9. [Public Governance, Performance and Accountability Act 2013](#)
10. [Resource Management Guide No. 130](#)

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