



NDIS Quality
and Safeguards
Commission



Shea and Pippa

Annual Report 2018-2019

NDIS Quality and Safeguards Commission

The National Disability Insurance Scheme (NDIS) Quality and Safeguards Commission is an independent agency established to improve the quality and safety of NDIS supports and services.



Acknowledgement

This Annual Report features the talent from our 'Speak Up' awareness campaign designed to empower participants to speak up about the quality and safety of their supports if they need to.

Luke

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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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NDIS COMMISSIONER'S REVIEW



Year in Review

Our first 'year in review' outlines the work undertaken to establish the NDIS Quality and Safeguards Commission (NDIS Commission); a national body that regulates quality and safeguarding in the National Disability Insurance Scheme (NDIS). Our first year of operation represents a significant milestone in the development and implementation of a purpose-built quality and safeguarding framework for the NDIS. The successful establishment of the NDIS Commission meets the Australian Government's main commitment under the NDIS Quality and Safeguarding Framework.

The NDIS Commission commenced on 1 July 2018 and our operations in 2018–19 were confined to two states – New South Wales (NSW) and South Australia (SA).

During the past year, our focus has been on getting the right people on board, the right systems, processes and procedures in place, and in establishing relationships with our key stakeholders – people with disability who are receiving supports and services, providers of those supports and services, advocates, peak disability and provider bodies, state and territory governments, and Commonwealth agencies.

The Department of Social Services (DSS) was responsible for establishing the model under which the NDIS Commission would operate. The DSS team did outstanding work to ensure the fundamentals were in place to allow for a smooth start up.

I would like to acknowledge the support of DSS Secretary Kathryn Campbell AO CSC which ensured this process was successfully implemented.

In 2018–19, we have:

- ♦ successfully transitioned almost 10,000 providers into our jurisdiction
- ♦ responded to more than 1,000 complaints
- ♦ overseen providers' handling of more than 4,400 reportable incidents
- ♦ taken a variety of regulatory actions against both registered and unregistered providers in NSW and SA
- ♦ completed a new capability framework for behaviour support practitioners
- ♦ established good working relationships with all key stakeholders
- ♦ begun the process of delivering comprehensive, targeted education for people with disability about how the NDIS Commission works for them and for providers about their obligations
- ♦ completed and launched a new worker orientation module for people working in the NDIS. As of 12 September, 78,487 people have completed the module.

We have achieved all this while:

- ◆ recruiting and inducting staff
- ◆ developing our compliance and enforcement policy and processes
- ◆ establishing offices across the country – initially the National Office in Western Sydney and an Adelaide office, but subsequently new offices in Melbourne, Brisbane, Hobart, Darwin and Canberra
- ◆ continuing to develop the NDIS Commission’s operating system
- ◆ commencing the development of our data and analytics framework
- ◆ refining our operating model
- ◆ establishing governance mechanisms required of a non-corporate Commonwealth entity under the *Public Governance, Performance and Accountability Act 2013* (PGPA Act).

It has been a foundation year characterised by commitment, energy and focus. I would like to acknowledge the leadership of my colleagues on the Executive Leadership Team and the efforts of all staff in delivering a successful first phase of the NDIS Commission’s establishment.



Graeme Head AO

NDIS Quality and Safeguards
Commissioner

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LETTER OF TRANSMITTAL



NDIS Quality
and Safeguards
Commission

The Hon Stuart Robert MP
Minister for the National Disability Insurance Scheme
Parliament House
Canberra ACT 2600

Dear Minister,

I present the Annual Report of the NDIS Quality and Safeguards Commission for the year ended 30 June 2019. This report has been prepared for the purposes of section 46 of the *Public Governance, Performance and Accountability Act 2013* (the PGPA Act).

The report has been prepared in accordance with all applicable obligations under the PGPA Act. It includes annual performance statements as required by section 39 of the PGPA Act and audited financial statements as required by section 43(4) of the PGPA Act.

I certify that the Commission has prepared fraud risk assessments and a fraud control plan, has in place appropriate fraud prevention, detection, investigation and reporting mechanisms that meet our specific needs, and has taken all reasonable measures to appropriately deal with fraud relating to the Commission.

Graeme Head AO
NDIS Quality and Safeguards Commissioner

8 October 2019

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Part 1. About the NDIS Commission

PART 1. ABOUT THE NDIS COMMISSION

NDIS Commission Overview

NDIS Commission's role and responsibilities

Our role is to promote the provision of safe and quality supports and services to people with disability under the National Disability Insurance Scheme (NDIS). We are responsible for delivering nationally consistent and responsive regulation of all NDIS supports and services.

Responsible Commonwealth Minister

As of 30 June 2019, the Hon Stuart Robert MP, as Minister for the NDIS, had ministerial responsibility for the NDIS Commission, including the exercise of specific powers under the NDIS Act. Minister Robert was appointed as Minister for the NDIS on 29 May 2019. Previous ministers who had ministerial responsibility for the NDIS Commission during the past year were:

- ◆ The Hon Paul Fletcher MP, as Minister for Families and Social Services, from 28 August 2018 to 29 May 2019
- ◆ The Hon Dan Tehan MP, as Minister for Social Services, from 1 July to 28 August 2018.

The Accountable Authority

For the entire reporting period, the Accountable Authority was Mr Graeme Head AO, the NDIS Quality and Safeguards Commissioner.

Commencement of NDIS Commission Operations

We were established through amendments to the *National Disability Insurance Scheme Act 2013* (NDIS Act) to improve the quality and safety of NDIS supports and services, investigate and resolve issues related to quality and safety, to strengthen the skills and knowledge of NDIS providers and workers, and to support NDIS participants across Australia to have a stronger voice. This fulfils the Australian Government's major responsibility under the NDIS Quality and Safeguarding Framework agreed by the Council of Australian Governments (COAG) in early 2017.

The establishment of the NDIS Commission was to be phased over three years, largely coinciding with the move by individual states and territories to

full-scheme implementation of the NDIS. Phase one saw NSW and SA come within our purview on 1 July 2018; this report, therefore, covers operations in those two jurisdictions for the reporting period. Also during the reporting period, we were preparing to commence operations in Victoria (VIC), Queensland (QLD), Tasmania (TAS), the Australian Capital Territory (ACT) and the Northern Territory (NT), which occurred on 1 July 2019. On 1 July 2020, we will commence in Western Australia (WA).

NDIS Commission Accountabilities

As a non-corporate Commonwealth entity within the Social Services portfolio, we are accountable under the *Public Governance, Performance and Accountability Act 2013* and the *Public Service Act 1999*.

Jurisdiction of the NDIS Commission

We regulate quality and safeguarding in the delivery of all NDIS-funded supports and services to NDIS participants.

The NDIS Commission Corporate Plan

We published our first Corporate Plan during 2018–19. This Annual Report, including the Annual Performance Statements, is prepared in the context of the Corporate Plan.

The purpose of the NDIS Commission as stated in the Corporate Plan is: "The NDIS Commission's purpose is to work with people with disability, providers and the community to deliver nationally consistent, responsive and effective regulation of NDIS providers. It will promote the delivery of safe and quality supports and services to people with disability under the NDIS. It will approach its responsibilities in a consultative and inclusive way. It will be guided by the underpinning principles outlined in the NDIS Act."

NDIS Commission Functions and Powers

Functions of the NDIS Commission

The NDIS Commissioner has core functions set out in section 181E of the NDIS Act:

- ♦ upholding the rights of, 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
- ♦ 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 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 objectives of the NDIS Act
- ♦ providing NDIS market oversight, including:
 - by monitoring changes in the NDIS market which may indicate emerging risk
 - monitoring and mitigating the risks of unplanned service withdrawal.

In addition, the NDIS Commissioner has the following functions set out in the NDIS Act:

- ♦ registration and reportable incidents
- ♦ complaints
- ♦ a behaviour support function.

In addition to powers set out in the NDIS Act, the NDIS Commission's activities are prescribed through a series of Rules.

Powers of the NDIS Commission

The NDIS Act provides the NDIS Commissioner with compliance and enforcement powers so that we can encourage best practice among NDIS providers and manage risk to NDIS participants.

We work with NDIS providers to help them comply with the new quality and safeguards requirements, including through education and training about their obligations.

We will also investigate complaints and reports of non-compliance with the NDIS Practice Standards, Code of Conduct and other quality and safeguards requirements where they apply.

We have the power to investigate apparent breaches by NDIS providers and their workers under the NDIS Act and Rules. We can impose sanctions including, in the most serious cases, banning workers and providers, and de-registering providers. We can also apply to a court for an order imposing civil penalties.

In exercising our compliance, investigation and enforcement powers, we will adhere to the requirements of procedural fairness, which means the NDIS Commissioner and staff of the NDIS Commission will:

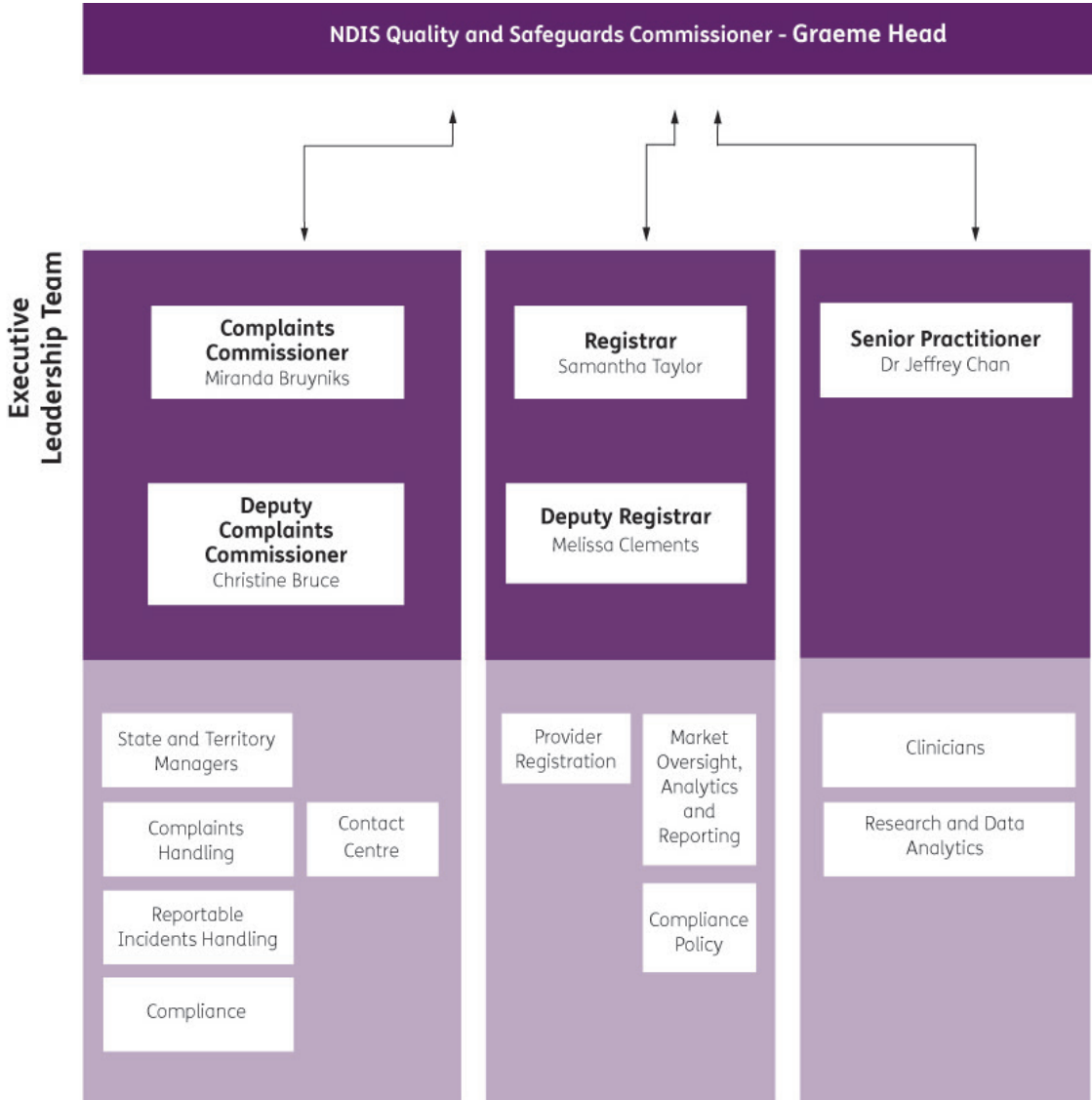
- ♦ avoid actual and perceived conflicts of interest and act in an impartial and objective manner
- ♦ afford a person an opportunity to be heard before making a decision affecting their interests.

The NDIS Commissioner is required to publish an NDIS Provider Register which includes information about the registration arrangements for providers. If a provider's registration is subject to a condition, or has been suspended, or if a person is subject to a compliance notice or banning order, the NDIS Act requires that this information be published on the NDIS Provider Register.

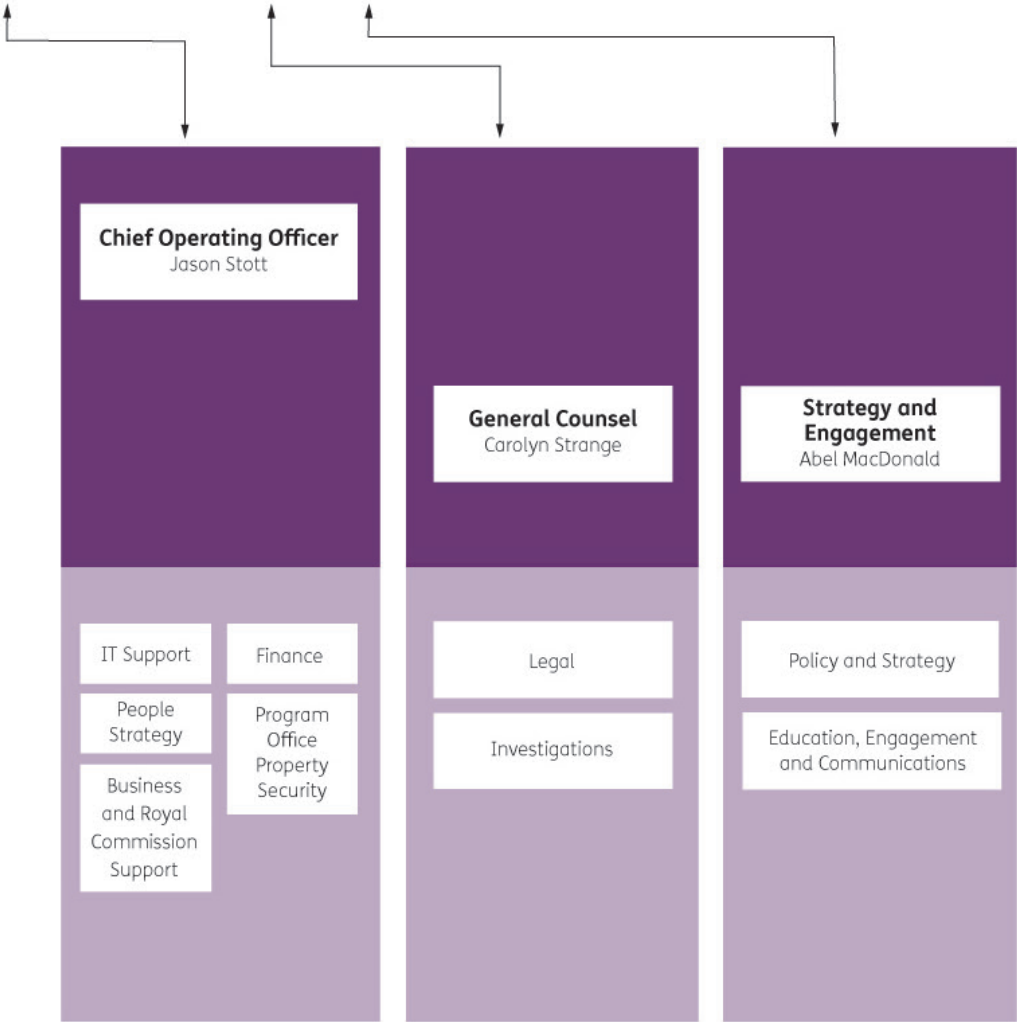
The NDIS Commissioner's monitoring, compliance, investigation and enforcement powers are proportionate and comparable to other Commonwealth regulators.



Our organisational structure



Parliamentary Liaison



Current as at 30 June 2019

NDIS Commission Activities

Overview

Our principal activities occur across streams including registration, regulation of unregistered providers, behaviour support, complaints, reportable incidents, compliance and enforcement, market oversight, partnering with external entities, and communications and engagement.

Registration

We register providers to deliver safe, quality supports and services to NDIS participants. Providers must be registered if they wish to deliver 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 implementing regulated restrictive practices. Our registration process is proportionate to the risk and complexity of supports being delivered to participants and the size and scope of the provider. The process involves:

- ◆ completion of an application and self-assessment by the provider
- ◆ an independent audit by an approved quality auditor against the NDIS Practice Standards that apply for the supports being delivered
- ◆ an assessment by the NDIS Commission of the suitability of the applicant provider, and its key personnel, to provide supports and services to NDIS participants.

Our NDIS Approved Quality Auditor Scheme establishes third party audit arrangements that providers can engage with to undertake a review of their practice against relevant NDIS Practice Standards. Auditing firms approved by the NDIS Commission under the scheme are accredited with JAS-ANZ, an internationally recognised accreditor of auditing firms, and individual auditors complete training provided by the NDIS Commission.

NDIS providers registered with the NDIS Commission must:

- ◆ comply with the conditions of registration prescribed through various Rules and stated on their certificate of registration
- ◆ demonstrate compliance with the NDIS

Practice Standards for the types of services and supports they are registered to deliver

- ◆ comply with the NDIS Code of Conduct
- ◆ have a complaints management system
- ◆ have an incident management system
- ◆ report certain incidents (including allegations) to the NDIS Commission
- ◆ fulfil national worker screening requirements
- ◆ meet behaviour support requirements, including reporting the use of restrictive practices to the NDIS Commission, if applicable.

We monitor compliance of providers with these obligations.

This activity helps provide assurance to the NDIS Commission that the providers we register are suitable and competent to provide safe, quality supports and services to NDIS participants, and supports us in undertaking our NDIS market oversight responsibilities.

Regulating unregistered providers

In addition to overseeing registered providers as described above, we also have oversight of unregistered providers. NDIS participants may use unregistered providers if their plan is not managed by the NDIA (for example, if they self-manage or nominate someone else to do it for them), except where the services consist of providing specialist disability accommodation, using regulated restrictive practices, or developing behaviour support plans for the participants. While unregistered providers do not have to comply with the conditions of registration, we still regulate them through:

- ◆ application of the Code of Conduct
- ◆ supporting participants who wish to complain directly to an unregistered provider
- ◆ receiving and acting on complaints made about an unregistered provider, or a person employed or otherwise engaged by the provider, including taking further action where a complaint raises a compliance issue.

This activity plays an important role in giving all NDIS participants the ability to make complaints

about the NDIS supports and services they receive, and allows for action to be taken if those supports and services do not meet expectations of quality and safety as set out in the Code.

Behaviour support

We oversee the use of behaviour support strategies and restrictive practices. This involves:

- ♦ developing and maintaining the Positive Behaviour Support Capability Framework (the framework) to help ensure practitioners deliver high quality behaviour supports
- ♦ assessing the skills and experience of behaviour support practitioners and providers against the framework
- ♦ providing best practice advice to practitioners, providers, participants, families, and carers
- ♦ receiving and reviewing provider reports on the use of restrictive practices
- ♦ responding to the unauthorised use of restrictive practices
- ♦ reporting on the level of use of restrictive practices.

We work with practitioners and providers to implement strategies that are designed to help reduce the occurrence and impact of behaviours of concern and reduce and eliminate the use of restrictive practices.

This activity helps to improve the capability of the sector through research and education to share best-practice advice with practitioners, providers and participants, their families and their carers.

Complaints and reportable incidents

We manage complaints in connection to the services delivered by NDIS providers and notifications of reportable incidents. This involves:

- ♦ responding to, investigating and managing complaints, and referring matters to other relevant authorities when appropriate
- ♦ supporting the resolution of complaints between providers and participants, when possible, and providing an escalation pathway when needed
- ♦ reviewing and sharing complaints data to identify systemic issues to be addressed

- ♦ reporting on the number, types and causes of complaints and the outcomes of complaints-handling processes
- ♦ overseeing the management of reportable incidents by registered service providers and referring matters to other relevant authorities when appropriate
- ♦ reviewing and sharing reportable incident data to identify systemic issues to be addressed and driving improvement actions through provider reporting on reportable incidents and compliance activity
- ♦ reporting publicly on the number and nature of complaints and reportable incidents.

We respond to complaints about NDIS supports and services and have the powers necessary to take compliance action regarding serious incidents.

This activity is a key element of our continuous monitoring of the quality and safety of the NDIS market. This activity also has an important role in assisting NDIS providers to consider their practice in the course of delivering NDIS supports and services, to address issues when they arise and to prevent them in the future.

Compliance and enforcement

We undertake compliance and enforcement activities. This involves:

- ♦ applying appropriate regulatory responses to non-compliance and/or emerging issues that require compliance monitoring
- ♦ determining registered provider compliance with conditions of registration, NDIS Practice Standards, the NDIS Code of Conduct and other applicable requirements and, where necessary, using influence or statutory tools to compel compliance
- ♦ using information-gathering and other powers in response to apparent non-compliance
- ♦ taking protective action in serious cases of persistent and high-risk non-compliance.

If compliance cannot be secured through the above actions, we can remove a provider from the market.

We have a comprehensive range of compliance and enforcement powers, tools and methods. These include the following administrative and court-based actions:

- ♦ educate providers to understand their obligations and achieve ongoing compliance
- ♦ monitor and investigate complaints or reports of non-compliance with the NDIS Code of Conduct, the NDIS Practice Standards and other quality and safeguard requirements where they apply
- ♦ issue compliance notices directing a provider to do, or refrain from doing, certain things
- ♦ enter into enforceable undertakings that commit a provider to specific action
- ♦ seek injunctions from a court to compel a person to take, or refrain from taking, certain action
- ♦ issue infringement notices
- ♦ seek civil penalties through a court
- ♦ vary, suspend or revoke a provider's registration
- ♦ make banning orders that prohibit or restrict specified activities by a provider, or a person employed or otherwise engaged by a provider.

Actions to be taken are determined on a case by case basis taking into consideration the seriousness of the issue, the appropriateness of the provider's or other person's response and the likelihood of further harm to NDIS participants.

This activity helps to prevent poor service delivery and to protect participants from harm. It also helps ensure public confidence in the NDIS and in services delivered by NDIS providers.

Market and regulatory oversight and risk

We identify, categorise, assess and manage systemic risks to protect people with disability from harm that arises from poor-quality or unsafe supports or services provided under the NDIS. This involves:

- ♦ identifying, monitoring and responding to intelligence on emerging risks based on a range of data sources, including compliance data, data collected through complaints, reportable incidents and restrictive practices reporting, and data collected through

external stakeholders, such as the NDIA, other regulators, and state and territory governments

- ♦ determining appropriate regulatory responses that are proportionate to the level of risk identified across the NDIS system
- ♦ monitoring changes in the NDIS market which may indicate emerging risk and service shortfalls in relation to the NDIS Commissioner's functions.

This activity reduces regulatory risk that might lead to non-compliance, doing so by helping to ensure effective regulatory activities. It also helps monitor the adequacy of supports available in the marketplace.

Partnering with external stakeholders and regulatory bodies

We partner with external stakeholders and other bodies to undertake key activities. This involves:

- ♦ building linkages between systems and stakeholders to help ensure effective and coordinated responses to issues
- ♦ sharing information with other bodies (such as child protection agencies and industry complaints bodies) to help ensure co-ordination of regulatory and other responses
- ♦ establishing information sharing arrangements with other government agencies, such as the Australian Health Practitioner Regulation Agency, the Australian Securities and Investments Commission, the Australian Competition and Consumer Commission and the Department of Health, to support us in improving the quality of supports.

This activity helps to ensure responses to issues are well coordinated and thoroughly informed by all relevant information, and that we interface seamlessly with broader protections and safeguards, such as state and territory worker screening units.

Education and communication

We build the capacity and capability of providers, workers and participants through a variety of communication activities. This includes:

- ◆ providing best-practice guides and training, including publishing guidance materials with examples of good and poor practice
- ◆ delivering targeted education campaigns designed to build the capability of service providers and behaviour support practitioners in identified focus areas
- ◆ delivering targeted engagement and communications campaigns to build the knowledge and awareness of participants, providers and behaviour support practitioners
- ◆ building provider capability to prevent and respond to serious incidents and complaints through education and engagement
- ◆ undertaking all communications in a manner that maximises accessibility and is mindful of the different communication needs and preferences of stakeholders
- ◆ ensuring providers have access to specialist expertise, guidance and educational resources to support best-practice approaches to positive behaviour support.

This activity helps to ensure providers are well informed about their obligations and about any changes in policy or practice, that participants understand their rights and ability to complain, and that the role, regulatory function and powers of the NDIS Commission are understood.

Our first year

Key First Year Achievements

Our first year of activity included a wide variety of achievements, including:

- ♦ commencing all NDIS Commission functions for the two jurisdictions in which we operate – NSW and SA: complaints handling, a national mandatory reportable incident scheme, registrations, behaviour support, market oversight and education and engagement
- ♦ handling 1,422 complaints about quality and safety of NDIS services, addressing 47 per cent of complaints in 6 weeks and a further 50 per cent in 6 months
- ♦ overseeing the reporting and response of registered NDIS providers to 4,537 notifications of reportable incidents, including 1,618 notifications of unauthorised use of restrictive practice
- ♦ expanding online self-service through the Commission Operating System portal which will allow electronic submission of reportable incidents and behaviour support plans, in addition to the previously available registration functions, from 1 July 2019
- ♦ transitioning 9,703 registered providers from the NDIA and receiving 765 completed applications for registration
- ♦ taking a range of compliance and enforcement actions including investigations and compliance monitoring
- ♦ establishing the NDIS Approved Quality Auditor Scheme, approving 11 certified audit bodies and training 281 individual auditors
- ♦ establishing the Positive Behaviour Support Capability Framework where providers and practitioners will be assessed against this framework to be considered as suitable to deliver behaviour support
- ♦ developing a compendium of resources providing behaviour support practitioners with a suite of assessment tools that can be used for people with disability
- ♦ commencing research into the prevalence and risk of abuse and neglect in people with disability and the prevalence of restrictive practice use in people with

neurodevelopmental disabilities, and conducting a scoping review of positive behaviour support best practice

- ♦ preparing for the transition of quality and safeguarding arrangements for VIC, TAS, QLD, NT and the ACT to the NDIS Commission from 1 July 2019
- ♦ establishing state and territory offices in VIC, TAS, QLD, NT and the ACT for effective operation from 1 July 2019
- ♦ progressing information sharing arrangements with a variety of regulators and other government agencies, nationally and in states and territories where the NDIS Commission has or will have jurisdiction
- ♦ establishing an engagement framework that guides our commitment to external engagement and communication activities
- ♦ launching the worker orientation module, which explains the obligations of workers under the NDIS Code of Conduct from the perspective of NDIS participants
- ♦ establishing policy and governance to guide our compliance and enforcement activities.

Transition

Formal agreement was received from state and territory disability ministers transitioning to the NDIS Commission from 1 July 2019 (QLD, NT, ACT, TAS and VIC) to becoming participating jurisdictions for the purposes of the *National Disability Insurance Scheme Act 2013*. This was formalised on 2 April 2019 when the *National Disability Insurance Scheme Amendment (Participating Jurisdiction) Specification 2019* instrument was registered on the Federal Register of Legislation.

Key activities for transition included:

- ♦ consultation, communication and engagement with state and territory governments, providers and participants
- ♦ the transfer of registration and provider phasing data from the NDIA to the NDIS Commission
- ♦ working through legislative, policy and operational changes needed to give effect to the new arrangements

- ♦ establishing information sharing arrangements with regulatory and complaints bodies in each jurisdiction and detailing the operational pathways for information sharing between the NDIS Commission and key agencies, such as police, coroners' offices, community visitors and guardianship bodies.

Establishment of avenues for contact

We established a Contact Centre to act as the first point of contact for NDIS participants, their families and carers, service providers, disability workers, advocates and the public.

During the reporting period we also established offices and state teams in NSW and SA, and carried out establishment activities for planned new offices in TAS, QLD, VIC, ACT, and the NT, along with recruitment and onboarding of staff in these jurisdictions.

State and territory teams deliver the NDIS Commission's responsibilities in a flexible and responsive manner, including through local interaction with participants, others who make complaints, and local providers, as well as monitoring local issues and trends.

Establishment of enabling functions

During 2018–19, we established all required corporate and supporting functions, including finance, communications, human resources, ICT, legal, parliamentary liaison, program office, property and security functions. Each function continues to mature as we grow and move towards steady state operations.

We use a purpose-built integrated ICT system known as COS (Commission Operating System) for our business processing requirements. In January 2019, we instituted a series of major enhancements to COS. The two modules used by our Complaints and Registrations teams were significantly enhanced to cater for improved internal processing for these two functions. In addition, we expanded the provider portal on our website to accommodate the two functions of reportable incidents and behaviour support. These new functions allow providers to directly input incident reports and behaviour support plans into COS from July 2019.

Case Study: Getting it right from the start

Many people may be wary of reporting or mentioning something they see because they don't want to interfere or be accused of causing trouble. Sometimes, however, those reports can change lives and help people.

It was one such report that came through to the NDIS Commission's complaint line in 2018–19. A member of the community rang to say they had witnessed a support worker verbally abusing a person with disability on a group outing.

At this point, a number of actions and safety precautions came into play:

- ☑ the caller asked to remain anonymous and this request was granted
- ☑ the caller was told the NDIS Commission was unable to share any information about the person with disability for privacy reasons
- ☑ the caller was able to identify the organisation that employed the support worker, and this in turn allowed the NDIS Commission to contact the person with disability
- ☑ when contacted, the man confirmed the report and also indicated a similar event had happened in the week prior to this

He was asked whether the NDIS Commission could contact his NDIS provider.

The NDIS provider was given an opportunity to respond to the issues raised and took immediate action, conducting an internal investigation. The subsequent findings substantiated the claims against the worker, and their employment was terminated.

As a result of the NDIS Commission's involvement:

- ☑ the provider reminded all staff via team meetings, supervision sessions and the internal newsletter of the expectations of the NDIS Commission, with specific reference to the NDIS Code of Conduct
- ☑ staff were required to sign a notice acknowledging they understood these expectations
- ☑ the man was advised of the outcomes from the investigation and subsequent actions
- ☑ he confirmed he was satisfied and thanked the NDIS Commission for their involvement

First year activity levels

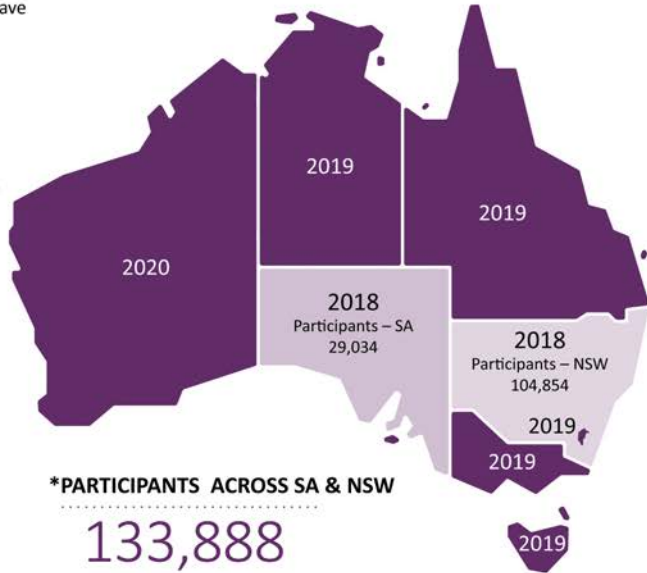
12 MONTHLY ACTIVITY REPORT JULY 2018 – JUNE 2019

The NDIS Commission has started in NSW and SA.

By July 2020 the NDIS Commission will have extended nationwide.

REGISTERED PROVIDERS:

8,302 1749 registrations expired of which 92% were not active

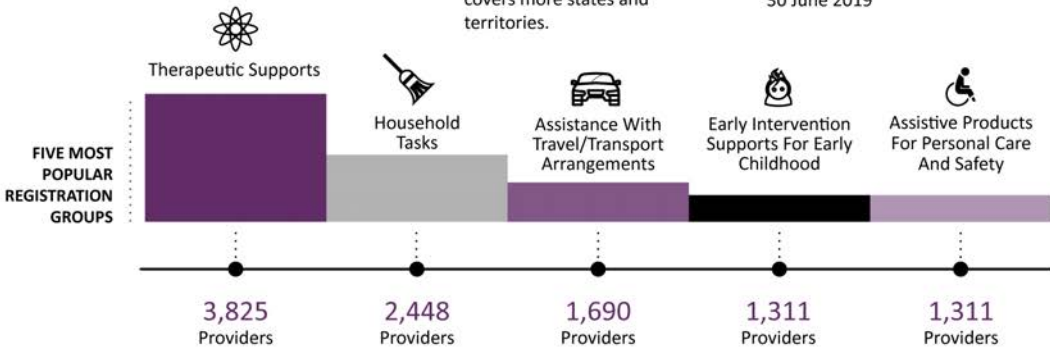


*PARTICIPANTS ACROSS SA & NSW

133,888

and this number will continue to grow as the NDIS Commission covers more states and territories.

* Participant numbers are from the NDIA Q4 report as at 30 June 2019



3,743 registrations covering the **five** specialised service groups in which providers are required to meet additional standards.



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

BEHAVIOUR SUPPORT

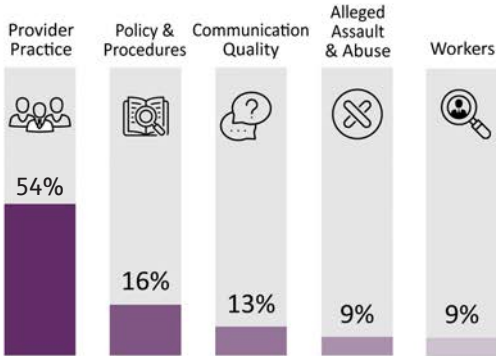
1,526
approved Behaviour Support Practitioners



LODGED

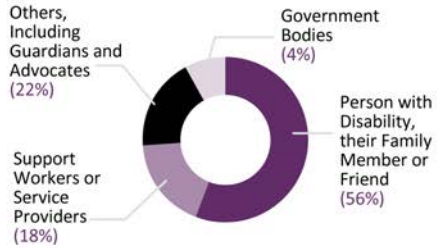
1,156
Behaviour Support Plans

COMPLAINTS **1,422** complaints were handled. The main issues raised in the complaints received*:



*Figures do not total 100% due to rounding.

COMPLAINTS WERE RECEIVED FROM



REPORTABLE INCIDENTS NDIS providers notified the NDIS Commission of **4,537** reportable incidents

1,618
Unauthorised use of restrictive practices

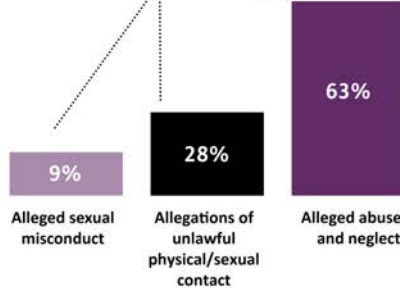
353
Any death

641
Known serious injury (including accidents)

1,925
Alleged abuse & neglect (physical and other)



- These reports include multiple notifications about the same incident
- Some reports concern allegations that may not have resulted in any impact on a participant
- Reports of alleged abuse and neglect can include physical, verbal or financial abuse



The first twelve months of the NDIS Commission's operation reflects the status of the agency, both operating in limited jurisdictions, and setting up the new NDIS regulatory model. The trends in activity levels will not reflect the level of activity expected once the NDIS Commission is operating nationally and the transition of providers into the new arrangements (particularly the registration renewal process) is complete.

The Executive

Executive team biographies



Graeme Head AO

NDIS Commissioner

Mr Graeme Head was appointed in December 2017 to lead the NDIS Quality and Safeguards Commission (NDIS Commission). Mr Head has had a long and distinguished career in public administration and public policy. He has been the Chief Executive of three New South Wales government agencies – notably as inaugural Public Service Commissioner for six years – and one Commonwealth agency. He has served as a deputy secretary in both NSW and the Commonwealth and his experience spans policy, regulatory and central agencies, with a focus on social policy, environmental policy and public sector employment.

Graeme Head is a Fellow of the Institute of Public Administration and was made an Officer in the Order of Australia in the 2019 Australia Day Honours.



Samantha Taylor PSM

Registrar

Samantha Taylor commenced in the role of Registrar with the NDIS Commission in March 2018. Prior to this, Ms Taylor was Executive Director of NDIS Implementation in the NSW Department of Family and Community Services. In this role, she led NSW negotiations on the NSW NDIS agreement, and managed all facets of the NSW transition to the NDIS, giving effect to the \$6 billion agreement with the Australian Government. She also advised on the transfer of NSW Government-operated specialist disability services to the non-government sector. Ms Taylor held senior executive roles for over 15 years in the NSW public service working in human and social services portfolios.

In 2017, Samantha Taylor was awarded a Public Service Medal for her leadership in disability reform in NSW.

The Executive

Executive team biographies



Miranda Bruyniks

Miranda Bruyniks

Complaints Commissioner

Miranda Bruyniks has been the Complaints Commissioner since April 2018. Ms Bruyniks led the establishment of complaints and reportable incident functions for the NDIS Commission. She also led the implementation of seven new state and territory regulatory teams and the national contact centre, executing the NDIS Commission's national and local approach for responding to participants and providers.

Ms Bruyniks regulatory and executive management experience in disability, health and insurance includes the development of disability strategy and oversight of disability service providers at the Transport Accident Commission and Department of Human Services in Victoria and managing the Medical Assessment Tribunals, a dispute resolution service in Queensland.

From 2014 to 2018, Miranda Bruyniks was Deputy Disability Services Commissioner in Victoria. She led the oversight of critical incidents reported by disability service providers, the resolution of complaints relating to disability services, establishment of an investigations function, and education and information to support people with disability and service providers. Ms Bruyniks is committed to people with a disability having their voices heard and having access to safe and quality services.



Dr Jeffrey Chan

Dr Jeffrey Chan

Senior Practitioner

Jeffrey Chan commenced as the Senior Practitioner, Behaviour Support on 9 July 2018. Mr Chan has worked in disability and health services for nearly 30 years in government, non-government and statutory roles. He was the inaugural Victorian Senior Practitioner with the responsibility of protecting the rights of people with disability subject to restrictive interventions and compulsory detention. Mr Chan was also Queensland's inaugural Chief Practitioner and Director of Forensic Disability (a Governor-in-Council appointment) where he was responsible for protecting the rights of people with cognitive impairment subject to restrictive practices and those in the forensic disability setting. Prior to his current role, Jeffrey Chan was Deputy CEO of the largest intellectual disability service provider in Singapore.

Jeffrey Chan was an International Rotary Scholar to the University of Sydney 1988. He received the Rotary Club of Ryde Pride of Workmanship Award in 2002 for this work in rehabilitation services. He was also a Finalist in the Australian Human Rights Award 2010 for Community (Individual) category for his work in protecting the rights of people with disabilities subjected to restrictive interventions. He continues to research and publish in international refereed journals in the area of disability.

The Executive

Executive team biographies



Christine Bruce

Deputy Complaints Commissioner

Christine Bruce commenced with the NDIS Commission in July 2018 as the Deputy Complaints Commissioner. Ms Bruce brings more than 30 years of experience in social policy and an energy and commitment across a broad range of functions including corporate services, communication and engagement strategies, policy and program design, program implementation, and service delivery in NSW, Victoria and Tasmania. She has delivered complex government services in western NSW working with Aboriginal communities on improving outcomes to deliver Closing the Gap targets to address Indigenous disadvantage. Ms Bruce introduced the national disability parking scheme and the national companion card scheme in 2010 and prior to joining the NDIS Commission she was leading the Department of Health grant program transition of the Department of Social Services Community Grants Hub.

Christine Bruce has served on a number of Boards, including the Institute of Public Administration in Victoria and has formal qualifications in project management and a Master's in Public Administration. She has a deep understanding of the interaction and dependencies of the NDIS, the social security payments scheme and the not for profit sector in weaving a comprehensive framework to improve the lives of marginalised Australians.



Melissa Clements

Deputy Registrar

Melissa Clements commenced in the role of Deputy Registrar with the NDIS Commission in January 2019. Ms Clements has more than 25 years of experience in the disability sector in a range of policy, program and service delivery roles. Previously she was Director, Disability, Learning and Support in the NSW Department of Education, leading policy and program delivery and reforms supporting more than 100,000 students with disability in NSW public schools. She also led work across the Department to support the transition to NDIS and its interface with education provision.

Melissa Clements held a number of roles with the NSW Ombudsman and Community Services Commission for over 10 years, overseeing community and disability service provision as well as a range of direct service delivery roles supporting people with disability.

The Executive

Executive team biographies



Jason Stott

Chief Operating Officer

Jason Stott joined the NDIS Commission as Chief Operating Officer in May 2018. Mr Stott has extensive experience in governance, program management and corporate operations. Mr Stott's achievements include strategic governance reform, leading complex programs, and developing and implementing high profile initiatives and measures. He has led whole-of-government teams deployed to closely scrutinise international disasters, including the Bali bombings, the Middle East during the evacuation crisis, and the Christchurch earthquake.

Jason Stott is an alumnus of the Jawun program, in which he worked on competitor analysis, raised venture capital, and improved executive control within Indigenous social enterprises. He is also an Army Reserve Major who deployed on Operation CRANBERRY, Operation ASTUTE and Operation QUEENSLAND FLOOD ASSIST. In 2012, Mr Stott was awarded a commendation for outstanding professionalism, dedication to duty and commitment and, in 2015, Jason Stott received the Prince of Wales Award, which sponsored study on leadership at the University of British Columbia in Vancouver Canada.



Abel MacDonald

Branch Head, Strategy and Engagement

Abel Macdonald joined the NDIS Commission as Branch Head, Strategy and Engagement in July 2018. He has significant experience managing government programs and developing policy in the areas of health, ageing and social services. Specifically, Mr MacDonald supported the development of quality and safety-related regulation in community-based aged care, pathology and radiation oncology. He has also led initiatives on best practice health care, including managing the national Clinical Care Standards Program for the Australian Commission on Safety and Quality in Health Care.

Abel MacDonald holds an Executive Masters in Public Administration, and received the 2012 Department of Health Australia Day Award for his contribution to improvements in the delivery of cancer services to residents in regional and rural Australia.

The Executive

Executive team biographies



Carolyn Strange

General Counsel

Carolyn Strange commenced with the NDIS Commission in July 2018 as its General Counsel. Ms Strange came to the NDIS Commission with a long and varied career as a lawyer and regulator in the NSW and Commonwealth public sectors, most recently as General Counsel at the NSW Public Service Commission, after starting out as a commercial litigation solicitor. Her other public sector legal experience has included positions in the Commonwealth Office of General Counsel, the NSW Environment Protection Authority, NSW Parliamentary Counsel's Office and the Office of the NSW Solicitor General and Crown Advocate.

Ms Strange has also held senior management roles in non-legal positions with regulatory dimension, including Director, Quality Assessment and Regulation in the Early Childhood Education and Care Directorate of the NSW Department of Education and Director, Contaminated Sites in the NSW Environment Protection Authority.

Case Study: Working together to solve problems

Most parents want the best for their children and sometimes that means advocating for them in times when they can't advocate for themselves.

In 2018–19, the NDIS Commission was contacted by a worried parent. The man's daughter receives supports from the NDIS and he was concerned her NDIS provider was unable to meet his daughter's complex needs. He also suggested he was being bullied because he had complained to the provider in the past.

To gain a better understanding of the situation, the NDIS Commission arranged meetings between the father and the provider to clarify the situation and to try to resolve the issues.

The meetings and mediation worked well for everyone concerned: the man, his daughter and the provider.

- ✓ A new service agreement was negotiated.
- ✓ Communication protocols were put in place to strengthen the relationship.
- ✓ Both agreed the new approach would help the man's daughter achieve her goals outlined in her NDIS plan.
- ✓ The provider committed to undertake staff training and education.
- ✓ The interaction allowed the provider to gain a better understanding of the woman and her family.
- ✓ The process allowed the NDIS Commission the opportunity to outline the expectations of a provider in delivering quality and safe supports.

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Part 2. Performance Report

PART 2. PERFORMANCE REPORT

Annual performance statement 2018-19

Introductory statement

I, as the accountable authority of the NDIS Quality and Safeguards Commission, present the 2018-19 annual performance statement of the NDIS Quality and Safeguards Commission, as required under paragraph 39(1)(a) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act). In my opinion, these annual performance statements are based on properly maintained records, accurately reflect the performance of the entity, and comply with subsection 39(2) of the PGPA Act.



Graeme Head AO
NDIS Quality and Safeguards Commissioner

8 October 2019

Entity purpose

Our purpose as listed in the Portfolio Budget Statements for both programs is identical to Outcome One, as described below. All performance measures in this performance statement contributes to this purpose.

Parliamentary Budget Statements 2018-19

Outcome one: Promote the delivery of quality supports and services to people with disability under the National Disability Insurance Scheme and other prescribed supports and services, including through nationally consistent and responsive regulation, policy development, advice and education.

PBS Program 1.1 – Support for National Disability Insurance Scheme providers in relation to registration – Support for NDIS providers in relation to registration to support service providers with the costs of obtaining NDIS registration and to support the provision of education and training for providers, workers and auditors.

PBS 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.

Performance Measure Mapping

The below table shows how the specific performance measures map to the headline performance measures and strategic outcomes identified in the Corporate Plan.

2018/19 Corporate Plan Headline Performance Measures							
NDIS Commission Strategic Outcomes		1.0 Establish an Engagement Model for Communications (PBS Programs 1.1 and 1.2)	2.0 Establish a report on complaints and reportable incidents (PBS Program 1.2)	3.0 Establish reporting mechanisms regarding NDIS provider quality and compliance within a risk framework (PBS Programs 1.1 and 1.2)	4.0 Establish and implement the Positive Behaviour Support Capability Framework (PBS Program 1.1)	5.0 Establish the NDIS Commission (PBS Program 1.2)	
	1. NDIS participants have a strong voice and are able to act	1.1	2.1, 2.2				
	2. Well regulated providers	1.3, 1.4		3.1, 3.2, 3.3, 3.4, 3.5	4.1, 4.2, 4.3		
	3. Effective relationships with system players that support core functions	1.2					
	4. A regulatory model that improves system performance	No individual performance measures are tied to this strategic outcome. Consequently, we provide stand-alone commentary against this strategic outcome below. This will be reported on in more detail in the regulator performance framework self-assessment for the NDIS Commission.					
	5. Build the Commission					5.1, 5.2, 5.3	

Results against performance criteria

The following tables report on performance criteria contained in our Corporate Plan and our Portfolio Budget Statements. The first section contains specific performance measures aligned to the five strategic outcomes listed in the Corporate Plan. The second section lists performance against the headline performance measures identified in the Corporate Plan. All criteria support PBS outcome one as described above. Note that Corporate Plan Outcome number 4, as listed in the below table, is the subject of individual commentary, but this aspect will be primarily addressed by our self-assessment under the Regulator Performance Framework, which will be published separately to this Annual Report.

Performance Statements section 1: Results against individual performance measures

Corporate Plan Outcome 1: NDIS Participants have a strong voice and are able to act		
Performance measure	Criterion Source	Results
1.1 Information available and shared with people with disability and advocacy groups on the role of NDIS Commission and the complaints process	Corporate Plan Performance Measure 1.1, which supports Portfolio Budget Statement Program 1.1 and 1.2.	A range of accessible information was shared with participants, people with disability and advocacy groups to support their knowledge and understanding of the role of the NDIS Commission and the protection of their rights under the NDIS Code of Conduct and NDIS Practice Standards. This included a participant information web section, social media presence, webinars, stakeholder and advocacy forums, and online participant welcome packs. The participant welcome packs were made available on our website to read, download electronically, in Auslan; and to order printed copies. We provided 6,968 printed copies of the participant welcome pack, including 3,045 in Easy Read, and 664 in Braille format.
2.1 Establish benchmark for complaints resolution timeframes	Corporate Plan Performance Measure 2.1, which supports Portfolio Budget Statement Program 1.2, dot point 4 under performance information, targets.	We handled 1,422 complaints about NDIS supports and services during the reporting period. The complaints process was completed for 1,063 matters. Of these, 47 per cent were handled within six weeks of lodgement and a further 50 per cent were handled within six months. The remaining three per cent took greater than six months. Data collected by the NDIS Commission reflects the early stages of operation and the activities in current jurisdictions only. Continued analysis, following transition of other jurisdictions on 1 July 2019, will contribute to refining benchmarks for complaint resolution timeframes.
2.2 Information on Complaints (and reportable incidents activity) – including the type of incident	Corporate Plan Performance Measure 2.2, which supports Portfolio Budget Statement Program 1.2.	<p>Of the 1,422 complaints received, 54 per cent related to general service quality or provider practice. Sixteen per cent of complaints related to policy and procedures for complaints management, fees and charges, incident management or the cessation of services. Nine per cent of complaints included allegations of abuse or neglect.</p> <p>Providers are required to notify the NDIS Commission of reportable incidents. We received 4,537 notifications of reportable incidents, including 1,618 notifications of unauthorised use of restrictive practice ('other' reportable incidents). These reports include multiple notifications about the same incident. Reports of alleged abuse and neglect can include physical, verbal or financial abuse.</p>

Corporate Plan Outcome 2: Well regulated providers

Performance measure	Criterion Source	Results
1.3 Information available to workers on their obligations under the NDIS Code of Conduct including successful completion of worker screening module	Corporate Plan Performance Measure 1.3, which supports Portfolio Budget Statement Program 1.1 and 1.2.	<p>The NDIS Code of Conduct came into effect from 1 July 2018 in NSW and SA. It applies to all providers and workers in the NDIS. It sets obligations that promote safe and ethical delivery of supports and services to all NDIS participants. The Code of Conduct sets out the minimum expectations for conduct and is intended to shape behaviour and the culture of providers and workers.</p> <p>We launched the NDIS Worker Orientation Module (note that, in this performance measure, this was referred to as a worker screening module) in May 2019. This is to support providers and workers in understanding their obligations under the Code of Conduct. During the reporting period, more than 22,850 people completed the module.</p> <p>We worked with states and territories to prepare for the implementation of new national worker screening arrangements across Australia. A new national worker screening database was developed to be hosted by the Commission, fulfilling the Commonwealth's obligation under the Intergovernmental Agreement on National NDIS Worker Screening.</p>
1.4 Information available to providers on the registration process and for transition in each jurisdiction	Corporate Plan Performance Measure 1.4, which supports Portfolio Budget Statement Program 1.1 and 1.2	Information was developed and made available to all providers registered with the Commission during the period, and to providers expected to transition into the NDIS Commission's jurisdiction on 1 July 2019. We updated our website and developed fact sheets, guides and other resources for providers. Local information forums were held in all jurisdictions. We partnered with industry stakeholders and the NDIA to participate in a range of events promoting the role of the NDIS Commission and supporting providers with information on their obligations in the NDIS. We received a total of 39,358 calls: 69 per cent related to provider inquiries and approximately 15,409 emails were received: 83 per cent related to provider registrations.
3.1 Proportion of 'active' providers and the number of registered providers	Corporate Plan Performance Measure 3.1, which supports Portfolio Budget Statement Program 1.1 & 1.2	We transitioned 9,703 providers from the NDIA in NSW and SA on 1 July 2018; these were all the providers that had been registered by the NDIA in NSW and SA. NDIA data indicated that 35 per cent of these providers were not actively providing supports and services to NDIS participants at the time of transition. Approximately 1700 transitioned providers did not commence a process to retain their registration with the NDIS Commission. More than 90 per cent of the providers who let their registration expire were not actively providing supports to NDIS participants. The remaining 10 per cent included providers who had registrations in other jurisdictions, or who were providing very low levels of support to NDIS participants with alternative providers in the local area.

Corporate Plan Outcome 2: Well regulated providers

Performance measure	Criterion Source	Results
3.2 Average processing time and number of provider applications for registration and renewal and variation	Corporate Plan Performance Measure 3.2, which supports Portfolio Budget Statement Program 1.1 and 1.2.	We received 765 completed applications for registration including both new registrations and renewals. We also received 914 applications to vary registration. Seventy-four per cent of registration applications were determined within four weeks of receiving the complete application.
3.3 Percentage of providers who have met various service standards to an acceptable level	Corporate Plan Performance Measure 3.3, which supports Portfolio Budget Statement Program 1.1 dot point 1 and 2, under performance information, targets.	<p>We transitioned 9,703 providers from the NDIA in NSW and SA on 1 July 2018; these had all been registered by the NDIA across both NSW and SA. All providers that transitioned to the NDIS Commission will be required to renew their registration to continue to provide supports and services to NDIS participants beyond the date that their registration is in force. Registration renewal dates for transitioned providers have been phased over a two-year period.</p> <p>We also received applications from providers new to the NDIS.</p> <p>We approved registration of 348 providers.</p>
3.4 Summary of provider audit activity including providers identified by audit or reporting that may require improvement training	Corporate Plan Performance Measure 3.4, which supports Portfolio Budget Statement Program 1.1, dot point 2, performance information, targets and Program 1.2.	<p>All providers that transitioned to the NDIS Commission must renew their registration if they wish to continue to provide supports and services to NDIS participants.</p> <p>More than 6,100 providers commenced the renewal process. The process involves a third-party audit against relevant NDIS Practice Standards, a feature of the new Quality and Safeguarding Framework. The NDIS Commissioner approved 11 certified audit bodies to operate within the NDIS and trained 281 individual auditors. We released a Compliance and Enforcement Policy and established a Compliance and Enforcement Committee to set policy and operational procedures around compliance and enforcement activities, and to determine compliance priorities. Those priorities include educating providers on their obligations and acting in response to serious matters affecting the safety of people with disability.</p>

Corporate Plan Outcome 2: Well regulated providers

Performance measure	Criterion Source	Results
3.5 Information provided on transition to incoming jurisdictions	Corporate Plan Performance Measure 3.5, which supports Portfolio Budget Statement Program 1.1 and 1.2.	<p>We worked with state and territory governments in incoming jurisdictions, DSS and the NDIA to plan for the transition of new jurisdictions on 1 July 2019. This included provider information sessions and webinars that were held across the five jurisdictions during March and June 2019. Provider information packs were sent out in June 2019. Fact sheets were provided for each jurisdiction on our website detailing the 'then and now' for provider requirements.</p> <p>We corresponded with providers from the incoming jurisdictions of VIC, QLD, TAS, NT and the ACT in the lead up to 1 July 2019, explaining the conditions of registration and the requirements to retain registration.</p> <p>We worked with DSS and the NDIA to prepare for the transfer of registration records for around 11,500 NDIS providers previously registered with the NDIA in those incoming jurisdictions to the NDIA Commission. Certificates of registration were sent to all transitioned providers prior to 30 June 2019, with the commencement date of those registrations being 1 July 2019.</p>
4.1 Behaviour support practitioners deemed suitable to practice against the capability framework	Corporate Plan Performance Measure 4.1, which supports Portfolio Budget Statement Program 1.1.	1,526 behaviour support practitioners have been considered provisionally suitable to undertake the behaviour support assessments and develop behaviour support plans that may contain the use of restrictive practices. We will commence assessing practitioner suitability against the capability framework in due course.
4.2 Behaviour support plans submitted	Corporate Plan Performance Measure 4.2, which supports Portfolio Budget Statement Program 1.1.	At 30 June 2019, more than 1,150 behaviour support plans had been lodged with the NDIA Commission.
4.3 Types of restrictive practices submitted	Corporate Plan Performance Measure 4.3, which supports Portfolio Budget Statement Program 1.1.	We will be able to report on this measure by the next Annual Report as the data is currently being migrated and consolidated.

Corporate Plan Outcome 3: Effective relationships with system players that support core functions

Performance measure	Criterion Source	Results
1.2 Promote the role of the NDIA Commission to providers, the NDIA and other relevant groups	Corporate Plan Performance Measure 1.2, which supports Portfolio Budget Statement Program 1.1 & 1.2.	<p>As part of the bilateral transition arrangements, individual communication plans for each state and territory were developed and implemented. These plans included scheduled roadshows, hardcopy and electronic mail-outs, videos, participant and provider packs, and presentations to key advocacy groups.</p> <p>Appendix 3 provides more detail on engagement activities.</p>

Corporate Plan Outcome 4: a regulatory model that improves system performance

Not applicable	Not applicable	<p>We commenced our functions from 1 July 2018. The regulatory functions of the NDIS Commission were performed in accordance with responsibilities under the Australian Government's Regulator Performance Framework. This included:</p> <ul style="list-style-type: none"> ◆ applying the NDIS Commission's regulatory functions proportionately commensurate to the risk, scale and size of a registered providers' operation ◆ clear and targeted communication with regulated providers, NDIS participants and other stakeholders ◆ establishing compliance and enforcement policies and governance to streamline and co-ordinate compliance activities ◆ coordination of compliance activities with other regulators where required, including the NDIS on fraud related matters. <p>We have monitored the experience of registered providers in the registration process to assess the regulatory impact and cost of compliance on the NDIS market to maximise quality, safety and choice for NDIS participants.</p> <p>We have made refinements to the NDIS Quality Auditors Scheme Guidelines to reinforce the application of proportionality when undertaking audits to inform registration decisions.</p>
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Corporate Plan Outcome 5: Build the Commission

Performance measure	Criterion Source	Results
5.1 Establish the office locations in jurisdictions	Corporate Plan Performance Measure 5.1, which supports Portfolio Budget Statement Program 1.2, dot point 1 and 2, under performance information, targets.	In 2018-19, we established offices in Darwin, Hobart, Canberra, Melbourne and Brisbane. Staff were recruited, inducted, trained and provided with appropriate facilities for operation. Offices in Sydney and Adelaide were established in 2017-18 and an office in Perth will be established in 2019-20.
5.2 Establish internal capacity to deliver outcomes through a workforce strategy that includes: people plan, diversity strategy, workplace consultative arrangements; and data collection to support evaluation	Corporate Plan Performance Measure 5.2, which supports Portfolio Budget Statement Program 1.2, dot point 2, under performance information, targets.	We engaged KPMG to develop our operational and strategic workforce plans. These plans will be available during 2019-20 and progress of adjunct people-based strategies, such as the Inclusion and Diversity Strategy, will follow on completion. Consultation for our inaugural Enterprise Agreement was progressed during 2018-19. People-related data was collected via the SAP Human Resource System and used to evaluate internal capacity throughout the reporting period.
5.3 Refine performance targets as the NDIS Commission is established	Corporate Plan Performance Measure 5.3, which supports Portfolio Budget Statement Program 1.2, dot point 3 under performance information, targets.	Work has commenced to build an integrated approach to performance monitoring - structured monitoring and analytics, and evaluation and research frameworks. Collectively, these will support the NDIS Commission to report on, and progressively evaluate, short-term outputs and mid and longer-term outcomes. It is intended that findings from these reports will support the prioritisation of future research and will inform the NDIS Commission of emerging trends and issues.

Performance Statements part 2: Headline Performance Measures

Headline Performance Measure	Criterion Source	Results
1.0 Establish an engagement model for communications	Corporate Plan Performance Measure 1.0, which supports Portfolio Budget Statement Program 1.2.	We developed an engagement framework which will help guide the development of communication activities for advisory groups, expert panels, time-limited focus groups and people with experience with different disability sub-types.
2.0 Establish a report on complaints and reportable incidents	Corporate Plan Performance Measure 2.0, which supports Portfolio Budget Statement Program 1.1 and 1.2.	<p>Data relating to the number and nature of complaints and reportable incidents for the first six months was published on our website. The 12-month report is provided annually.</p> <p>An accessible complaints handling process has been established for people to make complaints about NDIS services in NSW and SA. We commenced receiving notification of reportable incidents relating to death, serious injury, allegations of abuse and neglect, assault and sexual misconduct and unauthorised use of restrictive practice in NSW and SA.</p>
3.0 Establish reporting mechanisms regarding NDIS provider quality and compliance within a risk framework	Corporate Plan Performance Measure 3.0, which supports Portfolio Budget Statement Program 1.2.	Compliance and enforcement activity is published on our website, and six-monthly activity on registration and reportable incidents has also been published. As a new organisation, we are continuing to develop our analytics and reporting capability. In accordance with section 73ZS of the NDIS Act, we published an NDIS Provider Register on our website.
4.0 Establish and implement the Positive Behaviour Support Capability Framework	Corporate Plan Performance Measure 4.0, which supports Portfolio Budget Statement Program 1.1.	We engaged the Centre for Disability Studies to develop the Positive Behaviour Support (PBS) Capability Framework. Consultation on the draft occurred with people with disability and their family members, a national reference group of experts in PBS, and representatives from states and territories, National Disability Services provider focus groups, and Allied Health Professions Australia (AHPA). The proposed framework was approved in April 2019 and an accessible version was finalised in June 2019 for release to the sector. A proposed Assessment Resource Toolkit for the framework is under development.
5.0 Establish the NDIS Commission	Corporate Plan Performance Measure 5.0, which supports Portfolio Budget Statement Program 1.1.	The NDIS Commission matured towards full capacity. As at 30 June 2019, the NDIS Commission has permanently filled 63.7 per cent of available positions and temporarily filled 3.1 per cent of available positions. We commenced measurement of employee engagement by participating in the 2019 APSC employee engagement survey. Outcomes from the survey will provide data for use in developing strategies to improve engagement and workplace culture.

Analysis of results

In 2018–19, we published our first Corporate Plan, which contains the measures reported on in the annual performance statements. These measures cover a variety of streams of activity, and are attributable to our strategic outcomes as mapped above.

In the past year, we faced a challenging environment as we transitioned from state-based management to national management. In order to manage this environment, we undertook a wide variety of transition-related activities, including the establishment of offices, on-boarding of staff, consultation with state and territory governments, and engaging with providers and participants.

We largely achieved our requirements, and the criteria on which we faced difficulty in reporting were largely attributable to the fact that, as a new agency, our systems and our frameworks are still evolving. Specifically, our ability to report against performance measure 4.3 was constrained by limitations present in our Commission Operating System, our purpose-built ICT system used for our business processing requirements. This system is undergoing a series of enhancements to fully meet our business requirements. We have already completed enhancements including data warehousing and reporting functionality, and the data migration limitations will be addressed in 2019–20.

Case Study: Passionate about making a difference

Shailaja Menon was working as a casual employee in a number of jobs including the Council for Intellectual Disability when she saw a job come up in the NDIS Commission.

“Making a difference is a passion of mine and I believe in the vision of the NDIS Commission, which is to help people with disability, so yes I applied,” said Shailaja.

In 2018–19, the NDIS Commission established offices in Darwin, Hobart, Canberra, Melbourne and Brisbane. Offices in Sydney and Adelaide were established in 2017–18 and an office in Perth will be established in 2019–20. By the end of June 2019, 194 staff had been employed around the country.

27-year old Shailaja was one of these new staff members. She works as part of the Behaviour Support National Team as a Practice Advisor.

“I am helping to create an advisory group of people with intellectual disability who are NDIS participants,” she said. “Part of my role is to educate the members of the group on their Rights and about restrictive practices.”

Shailaja is a person with an intellectual disability and she says it is important for people to understand that intellectual disability is a spectrum and it varies from person to person.

“I just want people to get to know the person and to understand how they can support them.”

After six months in the job, Shailaja says she is loving it. “Empowering people with a disability has always been a dream of mine and it is through this job I can do that.”

Part 3. Management and Accountability

PART 3. MANAGEMENT AND ACCOUNTABILITY

Mandatory reporting

Disability reporting

Since 1994, non-corporate Commonwealth entities have reported on their performance as policy adviser, purchaser, employer, regulator and provider under the Commonwealth Disability Strategy. In 2007-08, reporting on the employer role was transferred to the Australian Public Service Commission's State of the Service reports and the *APS Statistical Bulletin*. These reports are available at apsc.gov.au. From 2010-11, entities have no longer been required to report on these functions.

The Commonwealth Disability Strategy has been overtaken by *The National Disability Strategy 2010-2020*, which sets out a 10-year national policy framework to improve the lives of people with disability, promote participation and create a more inclusive society. A high-level, two-yearly report will track progress against each of the six outcome areas of the strategy and present a picture of how people with disability are faring. The first of these progress reports was published in 2014 and can be found at dss.gov.au

Information required by other legislation

No information is required to be disclosed by other legislation.

Freedom of Information

We provide information under the *Freedom of Information Act 1982* (FOI Act) as required. Documents released under the FOI Act will be publicly listed on our *FOI Act disclosure log*, other than documents that are exempt from this requirement.

We are required to publish an Information Publication Scheme (IPS) statement under Part II of the FOI Act. We are progressively publishing the required information on our website. It will be available, when completed, at ndiscommission.gov.au

The IPS has replaced the former requirement to publish a 'section 8' statement in an annual report.

Corporate governance

The governance of the NDIS Commission is in accordance with normal practices for non-corporate Commonwealth entities. The NDIS Commissioner is the Accountable Authority, and is the sole statutory officer overseeing all functions of the NDIS Commission. The NDIS Commission delegates powers from the Accountable Authority through instruments of delegation, including instruments of delegation for:

- ♦ financial governance, including powers under the *Public Governance, Performance and Accountability Act 2013*
- ♦ human resources related matters, including powers under the *Public Service Act 1999* and other relevant legislation
- ♦ the NDIS Commission's functions and powers under the *National Disability Insurance Scheme Act 2013* and related Rules
- ♦ matters relating to functions and powers under the *Freedom of Information Act 1982*
- ♦ matters relating to functions and powers under the *Public Interest Disclosure Act 2013*.

We provide relevant instructions on the use of those powers through a set of Accountable Authority Instructions, supported by a variety of policies and practices.

Key committees providing governance for the NDIS Commission include the Executive Leadership Team which focuses on strategic organisational decisions, the Compliance and Enforcement Committee which focuses on operational compliance and enforcement decisions, and the ICT Investment Committee which focuses on key decisions relating to the ongoing development of the Commission Operating System: a purpose-built ICT system which is used for business processing requirements.

We have also established an Audit Committee to provide appropriate assurance and oversight.

The Audit Committee provides independent advice and assurance to the Accountable Authority on the appropriateness of our accountability and control framework - particularly those aspects concerning performance and financial reporting

and systems relating to risk and control. It also provides assurance on the adequacy of our financial statements production and risk planning process.

In 2018–19, the Audit Committee membership comprised two external members (including the independent chair) and the General Counsel of the NDIS Commission. It met three times during the year, and is intended to meet four times per year in future years. Representatives from the Australian National Audit Office, the Chief Operating Officer, the Chief Financial Officer and the Program Office and Corporate Services Director attended as observers.

The below table shows the Audit Committee membership during 2018–19, and the number of meetings attended by each member during the year.

Name and Position	Meetings attended in 2018-19	Membership details
Nicholas Baker (Chair)	3	Mr Baker joined the audit committee and was appointed chairman on 3 October 2018
Jenny Morison (External Member)	3	Ms Morison joined the audit committee on 3 October 2018
Carolyn Strange, General Counsel	3	Ms Strange joined the audit committee on 3 October 2018

Fraud Control

We comply with section 10 of the *Public Governance, Performance and Accountability Rule 2014*. Our fraud control framework aligns with the Commonwealth Fraud Control Framework and establishes the systems and processes for the prevention, detection, monitoring, evaluation and reporting of fraud matters within the NDIS Commission. For clarity, this section is written solely with reference to managing the risk of fraud within the NDIS Commission, and it does not bear on our management of fraudulent behaviour by providers.

We maintain a fraud control plan informed by assessing fraud risks and the implementation of controls and treatment strategies to mitigate fraud risks.

We have mechanisms to address fraud that are compliant with the Australian Government Investigations Standards and the Commonwealth Fraud Control Framework.

We have a zero tolerance approach to fraud and have taken all reasonable measures to deal with the risk of fraud. We recognise the importance of being vigilant in relation to fraud risk and communicate the importance of fraud awareness and prevention to staff.

Senior officers have provided assurance for the year 2018–19 that no cases of irregularities, fraud or misappropriation were reported to them and they have no knowledge of any irregularities, fraud or misappropriations

External scrutiny

On 5 April 2019, the Government announced establishment of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability. We, during the reporting period, commenced preparation to contribute to this Royal Commission.

On 8 October 2018, the Government announced establishment of the Royal Commission into Aged Care Quality and Safety. We, during the reporting period, submitted an information paper on our functions and operations, and prepared for further contributions.

Throughout 2018–19, the Parliamentary Joint Standing Committee on the NDIS Scheme was in operation. We tabled reports into the inquiry on Market Readiness and the provision of services under the NDIS inquiry and the Annual Progress Report which contained recommendations relevant to the NDIS Commission. We appeared before the Committee in relation to the Market Readiness inquiry on 4 July 2018.

There were no other significant developments in external scrutiny during 2018–19.

No judicial decisions, decisions by administrative tribunals or decisions by the Australian Information Commissioner had a significant effect on our operations.

No reports on our operations by the Auditor-General, Parliamentary Committees or the Commonwealth Ombudsman were issued.

No capability reviews of the NDIS Commission were released.

Purchasing

Our approach to procuring goods and services, including consultancies, is consistent with, and reflects the principles of, the Commonwealth Procurement Rules. These rules are applied to activities through our accountable authority instructions, supporting operational guidelines and procurement framework.

Consultants

We engage consultants when we require specialist expertise or when independent research, review or assessment is required. Decisions to engage consultants during 2018–19 were made in accordance with the PGPA Act and related regulations, including the Commonwealth Procurement Rules and relevant internal policies. We use consultants to manage discrete one-off projects when specialist expertise is required for a limited time.

During 2018–19, four new consultancy contracts were entered into involving a total actual expenditure of \$263,039 (GST inclusive). No ongoing contracts were active during the period.

Annual reports contain information about actual expenditure on contracts for consultants. Information on the value of contracts and consultancies is available on the AusTender website.

Australian National Audit Office access clauses

No contracts with a value of \$100,000 or more (inclusive of GST) were let during 2018–19 that did not provide for the Auditor-General to have access to the contractor's premises.

Exempt Contracts

No contracts with a value in excess of \$10,000 (inclusive of GST) or standing offers were exempted by the Accountable Authority from being published on AusTender on the basis that they would disclose

exempt matters under the Freedom of Information Act 1982.

Small business

The NDIS Commission supports small business participation in the Commonwealth Government procurement market. Small and Medium Enterprises (SME) and Small Enterprise participation statistics are available on the Department of Finance's website, finance.gov.au/procurement/statistics-on-commonwealth-purchasing-contracts/. The NDIS Commission recognises the importance of ensuring that small businesses are paid on time. It supports the use of small and medium-sized businesses through using standardised contracts for low-risk procurements valued under \$200,000.

Executive remuneration

Executive remuneration information is provided at Appendix 5.

Other mandatory information

The NDIS Commission did not conduct advertising campaigns during 2018–19.

Information on grants awarded by the NDIS Commission during 2018–19 is available at ndiscommission.gov.au

Risk Management

We have developed and implemented a risk framework, including a Risk Management Policy, a Risk Management Framework, and a set of Risk Management Guidelines. These documents prescribe our approach to managing risk, including methods for documenting and managing risk and our risk appetite. The Risk Management Framework outlines leadership and staff roles in overseeing and managing risk.

The Audit Committee provides external oversight of our risk profile.

Financial Performance

Our financial statements are presented in Part 4 of this report. The Australian National Audit Office issued an unqualified audit opinion for the financial statements on 4 October 2019.

A summary of our financial performance for departmental activities and activities administered on behalf of the Australian Government in our first year of operation is provided below.

Departmental activities

We recorded an operating surplus of \$4.7 million in 2018–19 due to savings in employee benefits expenses. These savings resulted from the NDIS Commission needing the majority of its first year of operation to fulfil its staffing requirements.

Activities administered on behalf of the Australian Government

In 2018–19, we administered one program on behalf of the Australian Government with expenses of \$4.8 million, including:

- ◆ \$3.9 million provided as grants to assist providers in meeting the requirements set out under the *National Disability Insurance Scheme Act 2013* and Rules
- ◆ \$0.9 million used to run roadshows, education and engagement activities to providers in the five transitioning jurisdictions to assist them in understanding the new registration requirements.

Finance Law Compliance

No significant issues relating to non-compliance with the finance law were reported to the Minister under paragraph 19(1)(e) of the PGPA Act.

Management of human resources

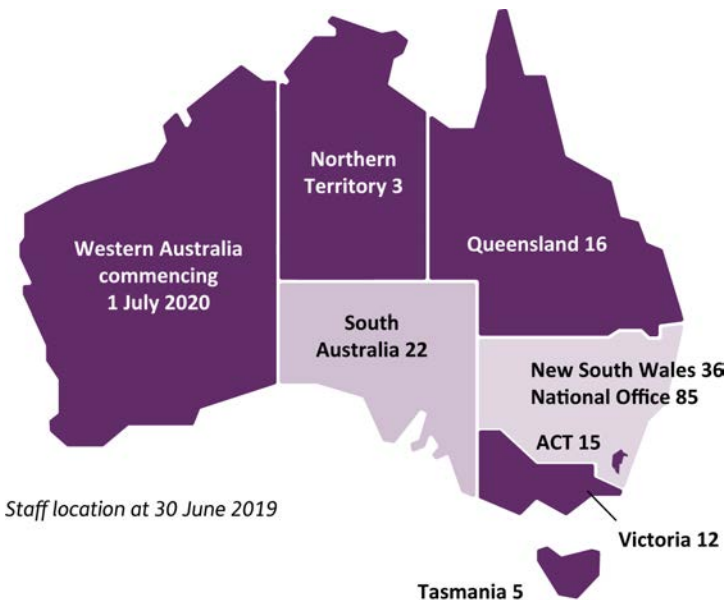
In 2018–19, we established a workforce that spans diverse and varied roles. We will develop operational and strategic workforce plans in 2019–20 that will underpin the design of a capability framework to ensure our staff develop in a manner that will support continued delivery of quality services.

We supported a performance culture consistent with the expectations of the *Public Service Act 1999* and the Australian Public Service Commissioner’s Direction 2016. Our Performance Framework encourages both managers and employees to actively engage in performance conversations throughout the year, as well as at formal reviews,

which are undertaken at least twice per year. The People Strategy team has provided front-line strategic human resource advice and practical solutions to support managers and employees to manage workforce challenges.

People who work at the Commission

We on-boarded staff in five states and territories (ACT, NT, QLD, VIC and TAS) to support our operations in those jurisdictions from 1 July 2019. WA will come online on 1 July 2020.



Workforce by Location and Employment Type — for the period ending 30 June 2019			
	Ongoing	Non Ongoing	Total
NSW	113	8	121
QLD	16		16
SA	22		22
TAS	5		5
VIC	12		12
NT	3		3
ACT	14	1	15
Total	185	9	194

Our workforce mix

Our workforce is comprised of ongoing APS, non-ongoing APS and labour hire (contractor) employees. As at 30 June 2019, our APS employee headcount was 194.

The average staffing level (ASL)¹ in the Portfolio Budget Statements (PBS) for 2018–19 was 164. For 2019–20, it is 237.

The actual ASL for 2018–19 was substantially below the PBS cap of 164, as it took the Commission the majority of the financial year to fulfil its staffing requirements. Full-time equivalent (FTE)² staff at the beginning of the financial year was 64.8. Recruitment was ongoing throughout the year and FTE by the end of the financial year was 189.2 resulting in an average staff level (ASL) of 111.8. Note that this does not include labour hire employees (contractors).

Of our 194 employees, 95.4 per cent are ongoing employees with 4.6 per cent engaged on a non-ongoing basis. Approximately 74 per cent of our workforce is female.

All Ongoing Employees — for the period ending 30 June 2019				
	Male	Female		Total
	Full Time	Full Time	Part Time	
NSW	30	71	12	113
QLD	4	12		16
SA	2	16	4	22
TAS	2	3		5
VIC	5	7		12
NT	1	2		3
ACT	5	9		14
Total	49	120	16	185

All Non-Ongoing Employees — for the period ending 30 June 2019				
	Male	Female		Total
	Full Time	Full Time	Part Time	
NSW	1	3	4	8
ACT		1		1
Total	1	4	4	9

Approximately 48.5 per cent of our employees are in management or professional roles, such as Behaviour Support Clinicians and Legal Officers.

Ongoing Employees by Classification — for the period ending 30 June 2019				
	Male	Female		Total
	Full Time	Full Time	Part Time	
APS3		5	1	6
APS4	2	16	2	20
APS5	8	18	3	29
APS6	12	23	7	42
EL1	11	34	1	46
EL2	11	18	2	31
Principal Legal Officer	1			1
Senior Legal Officer		1		1
SES BAND 1	2	3		5
SES BAND 2	1	2		3
NDIS Quality and Safeguards Commissioner	1			1
Total	49	120	16	185

1 Average Staffing Level (ASL): The number of full-time equivalent employees receiving salary or wages (paid FTE) by the NDIS Commission averaged over the financial year.

2 For clarity, FTE staffing figures are calculated on a different basis to employee headcount, so the figures differ. Employee headcount is the total number of APS employees engaged by the NDIS Commission, while FTE is adjusted to reflect staff on flexible working arrangements or various forms of leave.

Non-ongoing Employees by Classification — for the period ending 30 June 2019

	Male	Female		Total
	Full Time	Full Time	Part Time	
APS4		1		1
APS5		1		1
APS6			1	1
EL1		2		2
EL2	1		1	2
Principal Legal Officer			1	1
Senior Legal Officer			1	1
Total	1	4	4	9

Diversity

We aim to have a workforce that reflects the community and we plan to develop a diversity and inclusion plan that outlines principles that eliminate barriers to inclusion. We support flexible working arrangements and 10.3 per cent of our employees have part-time working agreements in place.

We strive to source a quality workforce who have lived experience of disability. Almost eight per cent of our employees have shared their disability status in our human resource system³.

Employees with Disability — for the period ending 30 June 2019

Ongoing	14
Non Ongoing	1
Total	15

Employees who identified as Aboriginal and / or Torres Strait Islander — for the period ending 30 June 2019

Ongoing	2
Non-Ongoing	0
Total	2

Employees by full time and part-time status — for the period ending 30 June 2019

	Ongoing		Non Ongoing		Total
	Full Time	Part Time	Full Time	Part Time	
APS3	5	1			6
APS4	18	2	1		21
APS5	26	3	1		30
APS6	35	7		1	43
EL1	45	1	2		48
EL2	29	2	1	1	33
Principal Legal Officer	1			1	2
Senior Legal Officer	1			1	2
SES BAND 1	5				5
SES BAND 2	3				3
NDIS Quality and Safeguards Commissioner	1				1
Total	169	16	5	4	194

³ Note that during the reporting period, from 6 May to 7 June 2019, the Australian Public Service Employee Census was conducted. In the results, reported on 22 July 2019, 13 per cent of staff identified as having an ongoing disability.

Our employment arrangements

The Workplace Bargaining Policy 2018 underpins remuneration and employment conditions for Australian Public Service (APS) agencies. Any salary increases are not to come at the cost of reduction in outputs or service, and are required to be offset by productivity improvements. More information about remuneration in the APS is available in the APSC's *Remuneration Report* available at apsc.gov.au

Workplace agreements

Employment conditions for non-SES Commission employees employed under the *Public Service Act 1999*, are set out in the NDIS Commission Determination (non-SES) 2018/01. During 2018–19, the development of our Enterprise Agreement was a priority. Bargaining for the inaugural Enterprise Agreement progressed well despite the impact of the caretaker period.

In 2018–19, there were no individual flexibility agreements in place.

Remuneration

Senior Executive Service Remuneration

The Remuneration Tribunal sets the remuneration and conditions for the NDIS Commissioner. SES employees' remuneration and employment conditions are provided via individual Determinations, which may deviate from standard salary ranges.

Total remuneration for SES employees includes salary, Executive Vehicle Allowance (EVA) and superannuation. Superannuation arrangements vary depending on whether an SES employee is a defined benefits scheme member or a member of an accumulation fund. In 2018–19, the salary ranges for SES employees were:

- ♦ SES Band 1: \$171,285 - \$199,061
- ♦ SES Band 2: \$221,051 - \$246,513

No SES staff received performance pay under the Principal Executive Office *Performance Remuneration Guidelines* as determined by the Remuneration Tribunal.

Non-senior executive service remuneration

Pay and employment conditions are set for non-SES staff in the NDIS Commission Determination (non-SES) 2018/01. The Determination includes provision for salary advancement subject to satisfactory performance and other factors. The rates for 2018–19 are shown in the following table:

Classification	Annual salary rate
APS1-1	44,455
APS1-2	46,028
APS1-3	47,605
APS1-4	49,747
APS2-1	51,956
APS2-2	53,516
APS2-3	57,110
APS2-4	57,815
APS3-1	60,044
APS3-2	61,742
APS3-3	64,398
APS3-4	65,149
APS4-1	68,027
APS4-2	69,898
APS4-3	72,049
APS4-4	73,120
APS5-1	74,710
APS5-2	76,082
APS5-3	78,885
APS5-4	79,785
APS6-1	81,831
APS6-2	85,583
APS6-3	90,468
APS6-4	91,979

Classification	Annual salary rate
EL1-1	101,958
EL1-2	107,453
EL1-3	111,592
EL1-4	115,734
EL2-1	120,173
EL2-2	130,527
EL2-3	136,435
EL2-4	141,686

Non-salary benefits

We provide employees with non-salary benefits. These include leave provisions, flexible working arrangements, employer superannuation contributions (including payment of 15.4 per cent employer superannuation contributions to accumulation funds), and travel entitlements when travelling on official business.

SES employee entitlements include salary, access to salary packaging, an Executive Vehicle Allowance paid on a fortnightly basis, parking, and travel entitlements when travelling on official business.

Salary packaging is also available to non-SES employees. The administration of salary packaging is undertaken by a private sector organisation, Smart Salary. Salary packaging of superannuation is made available to all employees under in-house arrangements administered by Department of Social Services via a Memorandum of Understanding. Approximately 13 per cent of employees had salary packaging arrangements in place in 2018–19.

Part 4. Financial Statements

for the year ending 30 June 2019

NDIS Quality and Safeguards Commission

Financial Statements

for the year ended 30 June 2019

NDIS Quality and Safeguards Commission

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INDEPENDENT AUDITOR'S REPORT

Minister for the National Disability Insurance Scheme

Opinion

In my opinion, the financial statements of the NDIS Quality and Safeguards Commission ('the Entity') for the year ended 30 June 2019:

- (a) comply with Australian Accounting Standards – Reduced Disclosure Requirements and the *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015*; and
- (b) present fairly the financial position of the Entity as at 30 June 2019 and its financial performance and cash flows for the year then ended.

The financial statements of the Entity, which I have audited, comprise the following statements as at 30 June 2019 and for the year then ended:

- Statement by the NDIS Commissioner and Chief Financial Officer;
- Statement of Comprehensive Income;
- Statement of Financial Position;
- Statement of Changes in Equity;
- Cash Flow Statement;
- Administered Schedule of Comprehensive Income;
- Administered Schedule of Assets and Liabilities;
- Administered Reconciliation Schedule;
- Administered Cash Flow Statement; and
- Notes to and forming part of the financial statements.

Basis for opinion

I conducted my audit in accordance with the Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of my report. I am independent of the Entity in accordance with the relevant ethical requirements for financial statement audits conducted by the Auditor-General and his delegates. These include the relevant independence requirements of the Accounting Professional and Ethical Standards Board's *APES 110 Code of Ethics for Professional Accountants* (the Code) to the extent that they are not in conflict with the *Auditor-General Act 1997*. I have also fulfilled my other responsibilities in accordance with the Code. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Accountable Authority's responsibility for the financial statements

As the Accountable Authority of the Entity, the Commissioner is responsible under the *Public Governance, Performance and Accountability Act 2013* (the Act) for the preparation and fair presentation of annual financial statements that comply with Australian Accounting Standards – Reduced Disclosure Requirements and the rules made under the Act. The Commissioner is also responsible for such internal control as the Commissioner determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

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19 National Circuit BARTON ACT
Phone (02) 6203 7300 Fax (02) 6203 7777

In preparing the financial statements, the Commissioner is responsible for assessing the ability of the Entity to continue as a going concern, taking into account whether the Entity's operations will cease as a result of an administrative restructure or for any other reason. The Commissioner is also responsible for disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the assessment indicates that it is not appropriate.

Auditor's responsibilities for the audit of the financial statements

My objective is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian National Audit Office Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with the Australian National Audit Office Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control;
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control;
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Accountable Authority;
- conclude on the appropriateness of the Accountable Authority's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the Entity to cease to continue as a going concern; and
- evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Accountable Authority regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

Australian National Audit Office



Rebecca Reilly
Executive Director

Delegate of the Auditor-General

Canberra
4 October 2019

**NDIS Quality and Safeguards Commission
STATEMENT BY THE NDIS COMMISSIONER AND CHIEF FINANCIAL OFFICER**

In our opinion, the attached financial statements for the year ended 30 June 2019 comply with subsection 42(2) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act), and are based on properly maintained financial records as per subsection 41(2) of the PGPA Act.

In our opinion, at the date of this statement, there are reasonable grounds to believe that the NDIS Quality and Safeguards Commission will be able to pay its debts as and when they fall due.

Signed 

Graeme Head AO

NDIS Quality and Safeguards Commissioner

4 October 2019

Signed 

Catherine Davey

Chief Financial Officer

4 October 2019

NDIS Quality and Safeguards Commission
Statement of Comprehensive Income
for the year ended 30 June 2019

	Notes	2019 \$'000	Original Budget \$'000
NET COST OF SERVICES			
Expenses			
Employee benefits	1.1A	16,094	20,395
Suppliers	1.1B	9,120	14,377
Depreciation and amortisation	3.2A	954	500
Finance costs	3.4A	42	-
Payments for service delivery		4,271	-
Total expenses		<u>30,481</u>	<u>35,272</u>
Own-source income			
Own-source revenue			
Other revenue	1.2A	73	-
Total own-source revenue		<u>73</u>	<u>-</u>
Total own-source income		<u>73</u>	<u>-</u>
Net cost of services		<u>(30,408)</u>	<u>(35,272)</u>
Revenue from Government	1.2B	35,122	34,772
Surplus/(deficit)		<u>4,714</u>	<u>(500)</u>
Total comprehensive income/(loss)		<u>4,714</u>	<u>(500)</u>

The above statement should be read in conjunction with the accompanying notes.

For budgetary reporting information refer to Note 8.4A.

NDIS Quality and Safeguards Commission
Statement of Financial Position
as at 30 June 2019

	Notes	2019 \$'000	Original Budget \$'000
ASSETS			
Financial assets			
Cash and cash equivalents	3.1A	380	419
Trade and other receivables	3.1B	<u>12,948</u>	<u>794</u>
Total financial assets		<u>13,328</u>	<u>1,213</u>
Non-financial assets			
Leasehold improvements	3.2A	6,392	1,998
Plant and equipment	3.2A	1,085	-
Other non-financial assets	3.2B	<u>179</u>	<u>-</u>
Total non-financial assets		<u>7,656</u>	<u>1,998</u>
Total assets		<u>20,984</u>	<u>3,211</u>
LIABILITIES			
Payables			
Suppliers	3.3A	1,994	419
Other payables	3.3B	<u>2,062</u>	<u>-</u>
Total payables		<u>4,056</u>	<u>419</u>
Provisions			
Employee provisions	6.1A	4,204	794
Other provisions	3.4A	<u>412</u>	<u>-</u>
Total provisions		<u>4,616</u>	<u>794</u>
Total liabilities		<u>8,672</u>	<u>1,213</u>
Net assets		<u>12,312</u>	<u>1,998</u>
EQUITY			
Contributed equity		7,598	2,498
Retained surplus		<u>4,714</u>	<u>(500)</u>
Total equity		<u>12,312</u>	<u>1,998</u>

The above statement should be read in conjunction with the accompanying notes.

For budgetary reporting information refer to Note 8.4A.

NDIS Quality and Safeguards Commission
Statement of Changes in Equity
for the year ended 30 June 2019

	Notes	2019 \$'000	Original Budget \$'000
CONTRIBUTED EQUITY			
Opening balance		-	-
Transactions with owners			
Contributions by owners			
Equity injection		2,498	2,498
Restructuring		5,100	-
Total transactions with owners		<u>7,598</u>	<u>2,498</u>
Closing balance as at 30 June		<u>7,598</u>	<u>2,498</u>
RETAINED EARNINGS			
Opening balance		-	-
Comprehensive income			
Surplus/(deficit) for the period		4,714	(500)
Total comprehensive income		<u>4,714</u>	<u>(500)</u>
Closing balance as at 30 June		<u>4,714</u>	<u>(500)</u>
TOTAL EQUITY			
Opening balance		-	-
Comprehensive income			
Surplus/(deficit) for the period		4,714	(500)
Total comprehensive income		<u>4,714</u>	<u>(500)</u>
Transactions with owners			
Contributions by owners			
Equity injection		2,498	2,498
Restructuring	8.3	5,100	-
Total transactions with owners		<u>7,598</u>	<u>2,498</u>
Closing balance as at 30 June		<u>12,312</u>	<u>1,998</u>

The above statement should be read in conjunction with the accompanying notes.

For budgetary reporting information refer to Note 8.4A.

Accounting Policy

Equity injections

Amounts appropriated which are designated as 'equity injections' for a year (less any formal reductions) and Departmental Capital Budgets (DCBs) are recognised directly in contributed equity in that year.

Transfer to/from other entities

Net assets received from, or relinquished to another Government entity under a restructuring of administrative arrangements are adjusted at their book value directly against contributed equity.

NDIS Quality and Safeguards Commission
Cash Flow Statement
for the year ended 30 June 2019

	Notes	2019 \$'000	Original Budget \$'000
OPERATING ACTIVITIES			
Cash received			
Appropriations		27,021	33,978
GST received		671	-
Section 74 cash received		815	-
Total cash received		<u>28,507</u>	<u>33,978</u>
Cash used			
Employees		(13,560)	(19,601)
Suppliers		(13,361)	(13,958)
Section 74 receipts transferred to OPA		(1,206)	-
Total cash used		<u>(28,127)</u>	<u>(33,559)</u>
Net cash from operating activities		<u>380</u>	<u>419</u>
INVESTING ACTIVITIES			
Cash used			
Purchase of leasehold improvements		(1,368)	(2,498)
Purchase of property, plant and equipment		(801)	-
Total cash used		<u>(2,169)</u>	<u>(2,498)</u>
Net cash used by investing activities		<u>(2,169)</u>	<u>(2,498)</u>
FINANCING ACTIVITIES			
Cash received			
Contributed equity		2,169	2,498
Total cash received		<u>2,169</u>	<u>2,498</u>
Net cash from financing activities		<u>2,169</u>	<u>2,498</u>
Net increase in cash held		<u>380</u>	<u>419</u>
Cash and cash equivalents at the end of the reporting period	3.1A	<u>380</u>	<u>419</u>

The above statement should be read in conjunction with the accompanying notes.

For budgetary reporting information refer to Note 8.4A.

NDIS Quality and Safeguards Commission
Administered Schedule of Comprehensive Income
for the year ended 30 June 2019

	Notes	2019 \$'000	Original Budget \$'000
NET COST OF SERVICES			
Expenses			
Suppliers	2.1A	931	1,487
Grants	2.1B	<u>3,899</u>	<u>4,323</u>
Total expenses		<u>4,830</u>	<u>5,810</u>
Net cost of services		<u>(4,830)</u>	<u>(5,810)</u>
Deficit		<u>(4,830)</u>	<u>(5,810)</u>
Total comprehensive loss		<u>(4,830)</u>	<u>(5,810)</u>

The above statement should be read in conjunction with the accompanying notes.
For budgetary reporting information refer to Note 8.4B.

NDIS Quality and Safeguards Commission
Administered Schedule of Assets and Liabilities
as at 30 June 2019

	Notes	2019 \$'000	Original Budget \$'000
ASSETS			
Financial assets			
Trade and other receivables	4.1A	428	-
Total financial assets		<u>428</u>	<u>-</u>
Total assets administered on behalf of Government		<u>428</u>	<u>-</u>
LIABILITIES			
Payables			
Suppliers payable	4.2A	444	297
Grants payable		-	865
Total payables		<u>444</u>	<u>1,162</u>
Total liabilities administered on behalf of Government		<u>444</u>	<u>1,162</u>
Net liabilities		<u>(16)</u>	<u>(1,162)</u>

The above statement should be read in conjunction with the accompanying notes.
For budgetary reporting information refer to Note 8.4B.

NDIS Quality and Safeguards Commission
Administered Reconciliation Schedule
for the year ended 30 June 2019

	Notes	2019 \$'000
Opening assets less liabilities as at 1 July		-
Net cost of services		
Expenses		(4,830)
Transfers (to)/from the Australian Government		
Appropriation transfers from the Official Public Account		
Annual appropriations		
Payments to entities other than corporate Commonwealth entities		4,847
Appropriation transfers to the Official Public Account		
Transfers to the Official Public Account		(33)
Closing assets less liabilities as at 30 June		<u>(16)</u>

The above statement should be read in conjunction with the accompanying notes.
For budgetary reporting information refer to Note 8.4B.

Accounting Policy

Administered cash transfers to and from the Official Public Account

Revenue collected by the entity for use by the Government rather than the entity is administered revenue. Collections are transferred to the Official Public Account (OPA) maintained by the Department of Finance. Conversely, cash is drawn from the OPA to make payments under Parliamentary appropriation on behalf of Government. These transfers to and from the OPA are adjustments to the administered cash held by the entity on behalf of the Government and reported as such in the schedule of administered cash flows and in the administered reconciliation schedule.

NDIS Quality and Safeguards Commission
Administered Cash Flow Statement
for the year ended 30 June 2019

	Notes	2019 \$'000	Original Budget \$'000
OPERATING ACTIVITIES			
Cash received			
GST Received		33	-
Total cash received		<u>33</u>	<u>-</u>
Cash used			
Suppliers		(558)	(1,190)
Grants		(4,289)	(3,458)
Total cash used		<u>(4,847)</u>	<u>(4,648)</u>
Net cash used by operating activities		<u>(4,814)</u>	<u>(4,648)</u>
Net decrease in cash held		<u>(4,814)</u>	<u>(4,648)</u>
Cash and cash equivalents at the beginning of period		-	-
Cash from Official Public Account			
- Appropriations		4,847	4,648
Total cash from Official Public Account		<u>4,847</u>	<u>4,648</u>
Cash to the Official Public Account for			
- Appropriations		(33)	-
Total cash to Official Public Account		<u>(33)</u>	<u>-</u>
Cash and cash equivalents at the end of the reporting period		<u>-</u>	<u>-</u>

The above statement should be read in conjunction with the accompanying notes.
For budgetary reporting information refer to Note 8.4B.

NDIS Quality and Safeguards Commission

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

Overview

The basis of preparation

The financial statements are general purpose financial statements as required by section 42 of the *Public Governance, Performance and Accountability Act 2013*.

The financial statements have been prepared in accordance with:

- a) *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015 (FRR)*; and
- b) Australian Accounting Standards and Interpretations – Reduced Disclosure Requirements issued by the Australian Accounting Standards Board (AASB) that apply for the reporting period.

The financial statements have been prepared on an accrual basis and in accordance with the historical cost convention, except for certain assets and liabilities which are recorded at fair value. Except where stated, no allowance is made for the effect of changing prices on the results or the financial position. The financial statements are presented in Australian dollars and values are rounded to the nearest thousand dollars, unless otherwise specified.

New accounting standards

All new/revised/amending standards and/or interpretations that were issued prior to the sign-off date and are applicable to the current reporting period did not have a material effect on the entity's financial statements.

Taxation

The entity is exempt from all forms of taxation except Fringe Benefits Tax (FBT) and the Goods and Services Tax (GST).

Reporting of administered activities

Administered revenues, expenses, assets, liabilities and cash flows are disclosed in the administered schedules and related notes.

Except where otherwise stated, administered items are accounted for on the same basis and using the same policies as for departmental items, including the application of Australian Accounting Standards.

Events after the reporting period

There are no known events occurring after the reporting period that could have a material impact on the financial statements.

NDIS Quality and Safeguards Commission

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

1. Financial Performance

This section analyses the financial performance of the NDIS Commission for the period ended 30 June 2019.

1.1 Expenses

	2019 \$'000
Note 1.1A: Employee Benefits	
Wages and salaries	10,543
Superannuation	
Defined contribution plans	1,475
Defined benefit plans	409
Leave and other entitlements	3,667
Total employee benefits	<u>16,094</u>

Accounting Policy

Accounting policies for employee related expenses are contained in Section 6, People and Relationships.

Note 1.1B: Suppliers

Goods and services supplied or rendered

Consultants	239
Contractors	4,723
Travel	646
IT services	330
Property	660
Legal fees	84
Stakeholder engagement	469
Other	571
Total goods and services supplied or rendered	<u>7,722</u>
Goods supplied	1,747
Services rendered	5,975
Total goods and services supplied or rendered	<u>7,722</u>

Other suppliers

Operating lease rentals	1,216
Workers compensation expenses	182
Total other suppliers	<u>1,398</u>
Total suppliers	<u>9,120</u>

Leasing commitments

The NDIS Quality and Safeguards Commission in its capacity as lessee has five leases relating to office accommodation in New South Wales, South Australia, Queensland (2) and the Australia Capital Territory. The NDIS Quality and Safeguards Commission also occupies office accommodation under a memorandum of understanding agreement with Australian Taxation Office in Victoria.

The lease payments are at nominal value and include pre-determined fixed percentage escalations. The contingent rental payments are determined in accordance with these pre-determined fixed percentage escalations.

Commitments for minimum lease payments including GST in relation to non-cancellable operating leases are payable as follows:

Within 1 year	2,441
Between 1 to 5 years	10,761
More than 5 years	7,807
Total operating lease commitments	<u>21,009</u>

Accounting Policy

Operating lease payments are expensed on a straight-line basis which is representative of the pattern of benefits derived from the leased assets.

NDIS Quality and Safeguards Commission
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

1.2 Own-Source Revenue and Gains

2019
 \$'000

Note 1.2A: Other Revenue

Resources received free of charge	
Remuneration of auditors	73
Total other revenue	73

Accounting Policy

Resources Received Free of Charge

Resources received free of charge are recognised in revenue when, and only when, a fair value can be reliably determined and the services would have been purchased if they had not been donated. Use of those resources is recognised as an expense. Resources received free of charge are recorded as either revenue or gains depending on their nature.

Note 1.2B: Revenue from Government

Appropriations	
Departmental appropriations	35,122
Total revenue from Government	35,122

Accounting Policy

Revenue from Government

Amounts appropriated for departmental appropriations for the year (adjusted for any formal additions and reductions) are recognised as revenue from Government when the entity gains control of the appropriation, except for certain amounts that relate to activities that are reciprocal in nature, in which case revenue is recognised only when it has been earned.

NDIS Quality and Safeguards Commission
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

2. Income and Expenses Administered on Behalf of Government

This section analyses the activities that the NDIS Commission does not control but administers on behalf of the Government. Unless otherwise noted, the accounting policies adopted are consistent with those applied for departmental reporting.

2.1 Administered – Expenses

	2019
	\$'000
Note 2.1A: Suppliers	
Goods and services supplied or rendered	
Contractors	103
Travel	48
IT services	51
Provider support	665
Other	64
Total good and services supplied or rendered	<u>931</u>
Goods supplied	747
Services rendered	184
Total good and services supplied or rendered	<u>931</u>
Total suppliers	<u>931</u>
	2019
	\$'000
Note 2.1B: Grants	
Goods and services supplied or rendered	
Private sector	
External parties	1,242
Not-for-profit organisations	2,657
Total grants	<u>3,899</u>
Grant commitments	
Commitments for grant payments including GST are as follows	
Within 1 year	2,003
Total grant commitments	<u>2,003</u>

Accounting Policy

The entity administers a number of grants on behalf of the Government. Grant liabilities are recognised to the extent that (i) the services required to be performed by the grantee have been performed or (ii) the grant eligibility criteria have been satisfied, but payments due have not been made. When the Government enters into an agreement to make these grants and services but services have not been performed or criteria satisfied, this is considered a commitment.

NDIS Quality and Safeguards Commission
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

3. Financial Position

This section analyses the NDIS Commission's assets used to conduct its operations and the operating liabilities incurred as a result. Employee related information is disclosed in Section 6, People and Relationships.

3.1 Financial Assets

2019
\$'000

Note 3.1A: Cash and cash equivalents

Cash on hand or on deposit	380
Total cash and cash equivalents	380

Note 3.1B: Trade and other receivables

Appropriation receivables

Appropriations receivable	12,146
Total appropriation receivables	12,146

Other receivables

GST receivable from the Australian Taxation Office	200
Employee benefits receivable	300
Other	302
Total other receivables	802
Total trade and other receivables (gross)	12,948

During the 2018-19 year, the credit terms for goods and services was within 30 days.

Accounting Policy

Financial assets

Trade receivables, loans and other receivables that are held for the purpose of collecting the contractual cash flows where the cash flows are solely payments of principal and interest that are not provided at below-market interest rates are subsequently measured at amortised cost using the effective interest method adjusted for any loss allowance.

NDIS Quality and Safeguards Commission
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

3.2 Non-Financial Assets

Note 3.2A: Reconciliation of the Opening and Closing Balances of Property, Plant and Equipment

	Leasehold improvements \$'000	Plant and Equipment \$'000	Total \$'000
As at 1 July 2018			
Gross book value	-	-	-
Accumulated depreciation, amortisation and impairment	-	-	-
Total as at 1 July 2018	-	-	-
Additions			
Purchase	1,482	801	2,283
Acquisition of entities or operations (including restructuring)	5,700	448	6,148
Depreciation and amortisation	(790)	(164)	(954)
Total as at 30 June 2019	6,392	1,085	7,477
Total as at 30 June 2019 represented by			
Gross book value	7,182	1,249	8,431
Accumulated depreciation, impairment, and amortisation	(790)	(164)	(954)
Total as at 30 June 2019	6,392	1,085	7,477

During the 2018-19 year, there were no indicators of impairment found for leasehold improvements or property, plant and equipment.

It is not anticipated that any property, plant and equipment will be sold or disposed of within the next 12 months.

Revaluations of non-financial assets

There were no revaluations of non-financial assets during the 2018-19 year.

All revaluations will be conducted in accordance with the revaluation policy stated in the Accounting Policy below.

Contractual commitments inclusive of GST for the acquisition of leasehold improvements

The NDIS Quality and Safeguards Commission has contractual commitments for the acquisition of leasehold improvements in its new office accommodation in Queensland, the Northern Territory, the Australian Capital Territory and additional leasehold improvements in New South Wales. The leasehold improvement commitment as at 30 June 2019 was \$1.880 million.

NDIS Quality and Safeguards Commission

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

Accounting Policy

Assets are recorded at cost on acquisition except as stated below. The cost of acquisition includes the fair value of assets transferred in exchange and liabilities undertaken. Financial assets are initially measured at their fair value plus transaction costs where appropriate.

Assets acquired at no cost, or for nominal consideration, are initially recognised as assets and income at their fair value at the date of acquisition, unless acquired as a consequence of restructuring of administrative arrangements. In the latter case, assets are initially recognised as contributions by owners at the amounts at which they were recognised in the transferor's accounts immediately prior to the restructuring.

Asset recognition threshold

Purchases of property, plant and equipment are recognised initially at cost in the statement of financial position, except for purchases costing less than \$2,000, which are expensed in the year of acquisition (other than where they form part of a group of similar items which are significant in total).

The initial cost of an asset includes an estimate of the cost of dismantling and removing the item and restoring the site on which it is located. This is particularly relevant to 'make good' provisions in office accommodation leases taken up by the entity where there exists an obligation to restore the office to its original condition. These costs are included in the value of the entity's leasehold improvements with a corresponding provision for the 'make good' recognised. Leasehold improvement assets have a recognition threshold of \$10,000.

Revaluations

Following initial recognition at cost, property, plant and equipment are carried at fair value less subsequent accumulated depreciation and accumulated impairment losses. Valuations are conducted with sufficient frequency to ensure that the carrying amounts of assets did not differ materially from the assets' fair values as at the reporting date. The regularity of independent valuations depends upon the volatility of movements in market values for the relevant assets.

Revaluation adjustments are made on a class basis. Any revaluation increment is credited to equity under the heading of asset revaluation reserve except to the extent that it reversed a previous revaluation decrement of the same asset class that was previously recognised in the surplus/deficit. Revaluation decrements for a class of assets are recognised directly in the surplus/deficit except to the extent that they reversed a previous revaluation increment for that class.

Any accumulated depreciation as at the revaluation date is eliminated against the gross carrying amount of the asset and the asset restated to the revalued amount.

Depreciation

Depreciable property, plant and equipment assets are written-off to their estimated residual values over their estimated useful lives to the entity using, in all cases, the straight-line method of depreciation.

Depreciation rates (useful lives), residual values and methods are reviewed at each reporting date and necessary adjustments are recognised in the current, or current and future reporting periods, as appropriate.

Asset class	Useful life
Property, plant and equipment	3-10 years
Leasehold improvements	Lesser of 10 years or the lease term

Impairment

All assets were assessed for impairment at 30 June 2019. Where indications of impairment exist, the asset's recoverable amount is estimated and an impairment adjustment made if the asset's recoverable amount is less than its carrying amount.

The recoverable amount of an asset is the higher of its fair value less costs of disposal and its value in use. Value in use is the present value of the future cash flows expected to be derived from the asset. Where the future economic benefit of an asset is not primarily dependent on the asset's ability to generate future cash flows, and the asset would be replaced if the entity were deprived of the asset, its value in use is taken to be its depreciated replacement cost.

Derecognition

An item of property, plant and equipment is derecognised upon disposal or when no further future economic benefits are expected from its use or disposal.

Fair value

All leasehold improvements and property, plant and equipment are measured at their estimated fair value in the Statement of Financial Position. All leasehold improvements and property, plant and equipment held by the Agency are categorised under Level 3 in accordance with the hierarchy listed in AASB 13.

Level 3 measurements use inputs to estimate fair value where there are no observable market prices for the assets being valued. The future economic benefits of leasehold improvements and property, plant and equipment are not primarily dependent on their ability to generate cash flows. The NDIS Quality and Safeguards Commission has not disclosed quantitative information about the significant unobservable inputs for the Level 3 measurements in these classes.

NDIS Quality and Safeguards Commission

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

2019
\$'000

Note 3.2B: Other Non-Financial Assets

Other non-financial assets	179
Total other non-financial assets	179

No indicators of impairment were found for other non-financial assets.

3.3 Payables

2019
\$'000

Note 3.3A: Suppliers

Trade creditors and accruals	1,709
Other suppliers	285
Total suppliers	1,994

Settlement is usually made for suppliers within 30 days.

Note 3.3B: Other Payables

Salaries and wages	140
Superannuation	23
Lease incentive	1,514
Other	385
Total other payables	2,062

Accounting Policy

Financial liabilities are initially measured at fair value, net of transaction costs. These financial liabilities are subsequently measured at amortised cost using the effective interest method, with interest expense recognised on an effective yield basis.

The effective interest rate method is a method of calculating the amortised cost of a financial liability and of allocating the interest expense over the relevant period. The effective interest is the rate that discounts the estimate future cash payments through the expected life of the financial liability, or, where appropriate, a short period.

Supply and other payables are recognised at amortised costs. Liabilities are recognised to the extent that the goods or services have been received.

3.4 Provisions

Total
\$'000

As at 1 July 2018	-
Provision for make good	370
Unwinding of discount	42
Total as at 30 June 2019	412

Accounting Judgement and Estimates

'Make good' provision

The fair value of 'make good' for leasehold improvements is based on estimated costs per square metre on a site by site basis and is included as a provision for 'make good'. The value of the provision for each property will depend on the rate and assessed cost of the 'make good' obligation applied to the premises in the lease. The NDIS Quality and Safeguards Commission management have determined that not all properties have a 'make good' obligation.

NDIS Quality and Safeguards Commission
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

4. Assets and Liabilities Administered on Behalf of Government

This section analyses assets used to conduct operations and the operating liabilities incurred as a result that NDIS Commission does not control but administers on behalf of the Government. Unless otherwise noted, the accounting policies adopted are consistent with those applied for departmental reporting.

4.1 Administered – Financial Assets

2019
\$'000

Note 4.1A: Trade and Other Receivables

Other receivables

GST receivable from the Australian Taxation Office

Total other receivables

Total trade and other receivables

428

428

428

4.2 Administered – Payables

2019
\$'000

Note 4.2A: Suppliers Payable

Suppliers payable

Total suppliers payable

444

444

NDIS Quality and Safeguards Commission
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

5. Funding

5.1 Appropriations

Note 5.1A: Annual and Unspent Appropriations ('Recoverable GST exclusive')

	2019 \$'000
Departmental	
Annual Appropriation	
Ordinary annual services	35,122
PGPA Act	
Section 74 receipts	815
Section 75 transfers	2,510
Total annual appropriation	<u>38,447</u>
Appropriation applied (current and prior years)	<u>26,250</u>
Closing unspent appropriation as follows:	<u>12,197</u>
Balance comprises appropriations as follows:	
Cash	380
Appropriation Act (No.1) 2017-18	2,510
Appropriation Act (No.1) 2018-19	8,957
Appropriation Act (No.3) 2018-19	350
Total unspent appropriation - ordinary annual services	<u>12,197</u>
Other services	
Annual Appropriation	
Appropriation Act (No.2) 2018-19 Equity Injections	2,498
Total annual appropriation	<u>2,498</u>
Appropriation applied (current and prior years)	<u>2,169</u>
Variance	<u>329</u>
Closing unspent appropriation balance	<u>329</u>
Balance comprises appropriations as follows:	
Appropriation Act (No.2) 2018-19 Equity Injections	329
Total unspent appropriation	<u>329</u>

1. The departmental appropriation section 75 transfer includes an amount of \$2.510 million in the current year that relates to the transfer of assets and liabilities on the establishment of the NDIS Quality and Safeguards Commission from Department of Social Services.
2. The departmental appropriation section 74 receipts are largely receipts for employee leave transfers.
3. The Department of Social Services draws down money from the Consolidated Revenue Fund (CRF) in order to make payments on behalf of the NDIS Quality and Safeguards Commission under a shared service arrangement.
4. Appropriations applied were lower than the original budget estimate due to the net cost of services being lower from lower employee benefits expense.

NDIS Quality and Safeguards Commission NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

Note 5.1B: Annual and Unspent Appropriations ('Recoverable GST exclusive')

	2019 \$'000
Administered	
Annual Appropriation	
Ordinary annual services	7,120
Total annual appropriation	<u>7,120</u>
Appropriation applied (current and prior years)	<u>4,847</u>
Variance	<u>2,273</u>
Closing unspent appropriation balance	<u>2,273</u>
Balance comprises appropriations as follows:	
Appropriation Act (No.2) 2018-19 New Administered Outcomes	963
Appropriation Act (No.3) 2018-19	<u>1,310</u>
Total unspent appropriation - ordinary annual services	<u>2,273</u>

1. There were no section 75 transfers in the current year.
2. There were no section 74 receipts in the current year.
3. The Department of Social Services draws down money from the Consolidated Revenue Fund (CRF) in order to make payments on behalf of the NDIS Quality and Safeguards Commission under a shared service arrangement.
4. Appropriations applied were lower due to a delay in establishing education and training resources for providers.

NDIS Quality and Safeguards Commission
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

5.2 Net Cash Appropriations Arrangements

	2019 \$'000
Total comprehensive surplus attributable to the Australian Government	4,714
Plus: depreciation/amortisation expenses previously funded through revenue appropriation	<u>954</u>
Total comprehensive surplus plus depreciation/amortisation expenses previously funded through revenue appropriations	<u>5,668</u>
Surplus attributable to NDIS Quality and Safeguards Commission	<u>5,668</u>

NDIS Quality and Safeguards Commission

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

6. People and Relationships

This section describes a range of employment and post-employment benefits provided to our employees and our relationships with other key people.

6.1 Employee Provisions

2019
\$'000

Note 6.1A: Employee Provisions

Leave	4,204
Total employee provisions	4,204

Accounting Policy

Liabilities for short-term employee benefits and termination benefits expected within twelve months of the end of reporting period are measured at their nominal amounts.

Long-term employee benefits are measured as net total of the present value of the defined benefit obligation at the end of the reporting period minus the fair value at the end of the reporting period of plan assets (if any) out of which the obligations are to be settled directly.

Leave

The liability for employee benefits includes provision for annual leave and long service leave. The leave liabilities are calculated on the basis of employees' remuneration at the estimated salary rates that will be applied at the time the leave is taken, including the entity's employer superannuation contribution rates to the extent that the leave is likely to be taken during service rather than paid out on termination. The liability for long service leave has been determined using the shorthand method (as per the *Commonwealth Entities Financial Statements Guide*) and the *Standard Parameters for use in Financial Statements*. The estimate of the present value of the liability takes into account attrition rates and pay increases through promotion and inflation.

Superannuation

The entity's staff are members of the *Commonwealth Superannuation Scheme* (CSS), the *Public Sector Superannuation Scheme* (PSS), or the *PSS accumulation plan* (PSSap), or other superannuation funds held outside the Australian Government.

The CSS and PSS are defined benefit schemes for the Australian Government. The PSSap is a defined contribution scheme.

The liability for defined benefits is recognised in the financial statements of the Australian Government and is settled by the Australian Government in due course. This liability is reported in the Department of Finance's administered schedules and notes. The entity makes employer contributions to the employees' defined benefit superannuation scheme at rates determined by an actuary to be sufficient to meet the current cost to the Government. The entity accounts for the contributions as if they were contributions to defined contribution plans.

The liability for superannuation recognised as at 30 June represents outstanding contributions.

NDIS Quality and Safeguards Commission

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

6.2 Management Personnel Remuneration

Key management personnel are those persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including any director (whether executive or otherwise) of that entity. The entity has determined the key management personnel to be the members of the Executive Leadership Team (ELT). These included the Accountable Authority (Commissioner), Registrar, Complaints Commissioner, Senior Practitioner and Chief Operating Officer.

Key management personnel remuneration is reported in the table below:

	2019 \$'000
Short-term employee benefits	1,712
Post-employment benefits	228
Other long-term employee benefits	35
Total key management personnel remuneration expenses¹	1,975

The total number of key management personnel that are included in the above table are five.

1. The above key management personnel remuneration excludes the remuneration and other benefits of the Portfolio and Cabinet Ministers. The Portfolio and Cabinet Ministers' remuneration and other benefits are set by the Remuneration Tribunal and are not paid by the entity.

6.3 Related Party Disclosures

Related party relationships:

The entity is an Australian Government controlled entity. Related parties to this entity are key management personnel including the Portfolio and Cabinet Ministers, and other Australian Government entities.

Transactions with related parties:

Given the breadth of Government activities, related parties may transact with the Government sector in the same capacity as ordinary citizens. Such transactions include the payment or refund of taxes, receipt of a Medicare rebate or higher education loans. These transactions have not been separately disclosed in this note.

The following transactions with related parties occurred during the financial year:

- The entity received IT services and business services delivered by Department of Social Services amounting to \$4.271 million during the 2018-19 year;
- The entity received \$5.1 million of assets and liabilities from the Department of Social Services on the establishment of the NDIS Quality and Safeguards Commission on 1 July 2018;

Giving consideration to relationships with related entities, and transactions entered into during 2018-19 by the entity, it has been determined there are no related party transactions to be separately disclosed.

NDIS Quality and Safeguards Commission

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

7. Managing Uncertainties

This section analyses how the NDIS Commission manages financial risks within its operating environment.

7.1 Contingent Assets and Liabilities

As at 30 June 2019, the NDIS Quality and Safeguards Commission did not have any quantifiable contingent assets or contingent liabilities.

Accounting Policy

Contingent liabilities and contingent assets are not recognised in the statement of financial position but are reported in the notes. They may arise from uncertainty as to the existence of a liability or asset or represent an asset or liability in respect of which the amount cannot be reliably measured. Contingent assets are disclosed when settlement is probable but not virtually certain and contingent liabilities are disclosed when settlement is greater than remote.

NDIS Quality and Safeguards Commission

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

8. Other Information

8.1 Financial Instruments

2019
\$'000

Note 8.1A: Categories of Financial Instruments

Financial Assets

Financial assets at amortised cost

Cash	380
Employee benefits receivable	300
Other	302
Total financial assets at amortised cost	982
Total financial assets	982

Financial Liabilities

Financial liabilities measured at amortised cost

Suppliers	1,994
Total financial liabilities measured at amortised cost	1,994
Total financial liabilities	1,994

2019
\$'000

Note 8.1B: Administered - Categories of Financial Instruments

Financial Liabilities

Financial liabilities measured at amortised cost

Suppliers payable	444
Total financial liabilities measured at amortised cost	444
Total financial liabilities	444

Accounting Policy

Financial assets

AASB 9 Financial Instruments was implemented for the first time in 2019 and the NDIS Quality and Safeguards Commission was only established on 1 July 2018.

The standard requires entities to apply a simplified approach to trade, contract and other receivables that do not have a significant financing component. The simplified approach always measures the loss allowance as the amount equal to the lifetime Expected Credit Losses.

The NDIS Quality and Safeguards Commission has other receivables that are held at nominal value with no significant financing component.

Impairment of financial assets

Financial assets are assessed for impairment at the end of each reporting period based on expected credit losses, using the general approach which measures the loss allowance based on an amount equal to lifetime expected credit losses where risk has significantly increased or an amount equal to 12-month expected credit losses if risk not increased.

Financial liabilities

Financial liabilities are classified as other financial liabilities. Financial liabilities are recognised and derecognised upon 'trade date'.

Financial liabilities at amortised cost

Financial liabilities, including borrowings, are initially measured at fair value, net of transaction costs. These liabilities are subsequently measured at amortised cost using the effective interest method, with interest expense recognised on an effective interest basis.

Supplier and other payables are recognised at amortised cost. Liabilities are recognised to the extent that the goods or services have been received (and irrespective of having been invoiced).

NDIS Quality and Safeguards Commission
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

8.2 Aggregate Assets and Liabilities

	2019
	\$'000
<u>Note 8.2A: Aggregate Assets and Liabilities</u>	
Assets expected to be recovered in:	
No more than 12 months	13,507
More than 12 months	7,477
Total assets	20,984
Liabilities expected to be settled in:	
No more than 12 months	4,168
More than 12 months	4,504
Total liabilities	8,672

	2019
	\$'000
<u>Note 8.2B: Administered - Aggregate Assets and Liabilities</u>	
Assets expected to be recovered in:	
No more than 12 months	428
Total assets	428
Liabilities expected to be settled in:	
No more than 12 months	444
Total liabilities	444

NDIS Quality and Safeguards Commission
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

8.3 Restructuring

Note 8.3: Departmental Restructuring

	2019
	Establishment
	NDIS Quality and Safeguards Commission
	\$'000
FUNCTIONS ASSUMED	
Assets recognised	
Financial Assets	
Trade and other receivables	2,510
Total financial assets	2,510
Non-Financial Assets	
Leasehold improvements	5,700
Property, plant and equipment	448
Prepayments	109
Total non-financial assets	6,257
Total assets recognised	8,767
Liabilities recognised	
Payables	
Suppliers	709
Other payables	1,778
Total payables	2,487
Provisions	
Employee provisions	850
Other provisions	330
Total provisions	1,180
Total liabilities recognised	3,667
Net assets recognised	5,100

Net assets recognised

The entity received \$5.1 million of assets and liabilities from the Department of Social Services on the establishment of the NDIS Quality and Safeguards Commission on 1 July 2018.

NDIS Quality and Safeguards Commission

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

8.4 Explanation of Major Budget Variances to Budget

Note 8.4A: Departmental Major Budget Variances for 2019

The original 2018-2019 NDIS Quality and Safeguards Commission Portfolio Budget Statements were prepared before the NDIS Quality and Safeguards Commission was established on 1 July 2018. As a consequence, the Statement of Financial Position and Statement of Changes in Equity were estimated before the transfer of assets and liabilities from the Department of Social Services on the establishment of the commission.

Statement of Comprehensive Income

The net surplus for the year was \$5.3 million higher than the original budget estimate due to the net cost of services being lower. It took the majority of the year for the NDIS Quality and Safeguards Commission to fulfil its staffing requirements. This resulted in lower employee benefits expense. The lower cost of external suppliers was off-set by the increase in payments for service delivery from the Department of Social Services as well an increase in depreciation caused by the increased value of non-financial assets.

Statement of Financial Position

Financial assets were higher largely due to the appropriation receivable of \$12.1 million which represents the unspent appropriation receivable transferred to the NDIS Quality and Safeguards Commission from the Department of Social Services of \$2.5 million and unspent departmental appropriations \$9.6 million for 2018-19. The unspent appropriations are higher than the net surplus due to the impact of the employee benefits provision.

Non-financial assets were higher due to the \$6.2 million of assets that were transferred to the NDIS Quality and Safeguards Commission from the Department of Social Services offset by a higher depreciation amount that was the result of having higher assets.

Total liabilities were \$7.4 million higher than the original budget estimate due to the lease incentive liability, employee provisions and make good provision transferred to the NDIS Quality and Safeguards Commission from the Department of Social Services in the amount of \$2.7 million and a \$2.6 million increase in the employee benefits provision due to a large number of new employees having recognised prior service. Payables were higher due to the amounts accrued for leasehold improvements at the new office sites and amounts owing for ICT services to Department of Social Services.

Statement of Changes in Equity

Total equity was higher than the original budget estimate due to the transfer of \$5.1 million by the Department of Social Services to the NDIS Quality and Safeguards Commission on its establishment and the increase in the retained earnings of \$4.7 million from the higher net surplus for the year.

Cash Flow Statement

The cash flow statement reflects the lower employee benefits expenditure compared to the original budget estimate.

NDIS Quality and Safeguards Commission

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

Note 8.4B: Administered Major Budget Variances for 2019

Statement of Comprehensive Income

The Administered Statement of Comprehensive Income shows slightly lower expenditure on grants and slightly lower spending on other suppliers than was estimated in the original budget.

Statement of Financial Position

Total assets are higher than the original budget estimate due to GST receivable from the ATO. Total liabilities are higher due to amounts that were not yet paid to administered suppliers.

Administered Reconciliation Schedule

Closing assets less liabilities is negative due to supplier liabilities.

Cash Flow Statement

The cash flow reflects the higher cash outlay on grants as they are subject to GST and the lower cash outlay on suppliers due to the supplier liability.

Part 5. Appendices

PART 5. APPENDICES

Appendix 1: Annual report list of requirements

PGPA Rule Reference	Part of Report	Description	Requirement
17AD(g)	Letter of transmittal		
17AI	Page 6	A copy of the letter of transmittal signed and dated by accountable authority on date final text approved, with statement that the report has been prepared in accordance with section 46 of the Act and any enabling legislation that specifies additional requirements in relation to the annual report.	Mandatory
17 AD(h)	Aids to access		
17AJ(a)	Page 5	Table of contents.	Mandatory
17AJ(b)	Pages 96-97	Alphabetical index.	Mandatory
17AJ(c)	Pages 91-92	Glossary of abbreviations and acronyms.	Mandatory
17AJ(d)	Pages 82-86	List of requirements.	Mandatory
17AJ(e)	Page 98	Details of contact officer.	Mandatory
17AJ(f)	Page 98	Entity's website address.	Mandatory
17AJ(g)	Page 98	Electronic address of report.	Mandatory
17AD(a)	Review by accountable authority		
17AD(a)	Pages 2-3	A review by the accountable authority of the entity.	Mandatory
17AD(b)	Overview of the entity		
17AE(1)(a)(i)	Pages 9,12-15	A description of the role and functions of the entity.	Mandatory
17AE(1)(a)(ii)	Pages 10-11	A description of the organisational structure of the entity.	Mandatory
17AE(1)(a)(iii)	Page 28	A description of the outcomes and programmes administered by the entity.	Mandatory
17AE(1)(a)(iv)	Page 8	A description of the purposes of the entity as included in corporate plan.	Mandatory
17AE(1)(aa)(i)	Page 8	Name of the accountable authority or each member of the accountable authority	Mandatory
17AE(1)(aa)(ii)	Page 8	Position title of the accountable authority or each member of the accountable authority	Mandatory
17AE(1)(aa)(iii)	Page 8	Period as the accountable authority or member of the accountable authority within the reporting period	Mandatory
17AE(1)(b)	Not Applicable	An outline of the structure of the portfolio of the entity.	Portfolio departments - mandatory
17AE(2)	Not applicable	Where the outcomes and programs administered by the entity differ from any Portfolio Budget Statement, Portfolio Additional Estimates Statement or other portfolio estimates statement that was prepared for the entity for the period, include details of variation and reasons for change.	If applicable, Mandatory
17AD(c)	Report on the Performance of the entity		
	Annual performance Statements		

PGPA Rule Reference	Part of Report	Description	Requirement
17AD(c)(i); 16F	Pages 28-36	Annual performance statement in accordance with paragraph 39(1)(b) of the Act and section 16F of the Rule.	Mandatory
17AD(c)(ii)	Report on Financial Performance		
17AF(1)(a)	Page 41, 48-80	A discussion and analysis of the entity's financial performance.	Mandatory
17AF(1)(b)	Page 95	A table summarising the total resources and total payments of the entity.	Mandatory
17AF(2)	Not Applicable	If there may be significant changes in the financial results during or after the previous or current reporting period, information on those changes, including: the cause of any operating loss of the entity; how the entity has responded to the loss and the actions that have been taken in relation to the loss; and any matter or circumstances that it can reasonably be anticipated will have a significant impact on the entity's future operation or financial results	If applicable, Mandatory.
17AD(d)	Management and Accountability		
	Corporate Governance		
17AG(2)(a)	Pages 39	Information on compliance with section 10 (fraud systems)	Mandatory
17AG(2)(b)(i)	Page 6	A certification by accountable authority that fraud risk assessments and fraud control plans have been prepared.	Mandatory
17AG(2)(b)(ii)	Page 6	A certification by accountable authority that appropriate mechanisms for preventing, detecting incidents of, investigating or otherwise dealing with, and recording or reporting fraud that meet the specific needs of the entity are in place.	Mandatory
17AG(2)(b)(iii)	Page 6	A certification by accountable authority that all reasonable measures have been taken to deal appropriately with fraud relating to the entity.	Mandatory
17AG(2)(c)	Pages 38-39	An outline of structures and processes in place for the entity to implement principles and objectives of corporate governance.	Mandatory
17AG(2)(d) – (e)	Page 41	A statement of significant issues reported to Minister under paragraph 19(1)(e) of the Act that relates to non-compliance with Finance law and action taken to remedy non-compliance.	If applicable, Mandatory
	External Scrutiny		
17AG(3)	Page 39-40	Information on the most significant developments in external scrutiny and the entity's response to the scrutiny.	Mandatory
17AG(3)(a)	Pages 39-40	Information on judicial decisions and decisions of administrative tribunals and by the Australian Information Commissioner that may have a significant effect on the operations of the entity.	If applicable, Mandatory
17AG(3)(b)	Pages 39-40	Information on any reports on operations of the entity by the Auditor-General (other than report under section 43 of the Act), a Parliamentary Committee, or the Commonwealth Ombudsman.	If applicable, Mandatory

PGPA Rule Reference	Part of Report	Description	Requirement
17AG(3)(c)	Page 40	Information on any capability reviews on the entity that were released during the period.	If applicable, Mandatory
Management of Human Resources			
17AG(4)(a)	Page 42	An assessment of the entity's effectiveness in managing and developing employees to achieve entity objectives.	Mandatory
17AG(4)(aa)	Pages 42-46	Statistics on the entity's employees on an ongoing and non-ongoing basis, including the following: <ul style="list-style-type: none"> a. statistics on full-time employees; b. statistics on part-time employees; c. statistics on gender; d. statistics on staff location. 	Mandatory
17AG(4)(b)	Pages 42-46	Statistics on the entity's APS employees on an ongoing and non-ongoing basis; including the following: <ul style="list-style-type: none"> - Statistics on staffing classification level; - Statistics on full-time employees; - Statistics on part-time employees; - Statistics on gender; - Statistics on staff location; - Statistics on employees who identify as Indigenous. 	Mandatory
17AG(4)(c)	Page 45	Information on any enterprise agreements, individual flexibility arrangements, Australian workplace agreements, common law contracts and determinations under subsection 24(1) of the <i>Public Service Act 1999</i> .	Mandatory
17AG(4)(c)(i)	Pages 43-45	Information on the number of SES and non-SES employees covered by agreements etc identified in paragraph 17AG(4)(c).	Mandatory
17AG(4)(c)(ii)	Pages 45-46	The salary ranges available for APS employees by classification level.	Mandatory
17AG(4)(c)(iii)	Page 46	A description of non-salary benefits provided to employees.	Mandatory
17AG(4)(d)(i)	Page 45	Information on the number of employees at each classification level who received performance pay.	If applicable, Mandatory
17AG(4)(d)(ii)	Not Applicable	Information on aggregate amounts of performance pay at each classification level.	If applicable, Mandatory
17AG(4)(d)(iii)	Not applicable	Information on the average amount of performance payment, and range of such payments, at each classification level.	If applicable, Mandatory
17AG(4)(d)(iv)	Not applicable	Information on aggregate amount of performance payments.	If applicable, Mandatory
Assets Management			
17AG(5)	Not Applicable	An assessment of effectiveness of assets management where asset management is a significant part of the entity's activities	If applicable, mandatory
Purchasing			
17AG(6)	Page 40	An assessment of entity performance against the <i>Commonwealth Procurement Rules</i> .	Mandatory

PGPA Rule Reference	Part of Report	Description	Requirement
Consultants			
17AG(7)(a)	Page 40	A summary statement detailing the number of new contracts engaging consultants entered into during the period; the total actual expenditure on all new consultancy contracts entered into during the period (inclusive of GST); the number of ongoing consultancy contracts that were entered into during a previous reporting period; and the total actual expenditure in the reporting year on the ongoing consultancy contracts (inclusive of GST).	Mandatory
17AG(7)(b)	Page 40	A statement that “ <i>During [reporting period], [specified number] new consultancy contracts were entered into involving total actual expenditure of \$[specified million]. In addition, [specified number] ongoing consultancy contracts were active during the period, involving total actual expenditure of \$[specified million].</i> ”	Mandatory
17AG(7)(c)	Page 40	A summary of the policies and procedures for selecting and engaging consultants and the main categories of purposes for which consultants were selected and engaged.	Mandatory
17AG(7)(d)	Page 40	A statement that “ <i>Annual reports contain information about actual expenditure on contracts for consultancies. Information on the value of contracts and consultancies is available on the AusTender website.</i> ”	Mandatory
Australian National Audit Office Access Clauses			
17AG(8)	Page 40	If an entity entered into a contract with a value of more than \$100 000 (inclusive of GST) and the contract did not provide the Auditor-General with access to the contractor’s premises, the report must include the name of the contractor, purpose and value of the contract, and the reason why a clause allowing access was not included in the contract.	If applicable, Mandatory
Exempt contracts			
17AG(9)	Page 40	If an entity entered into a contract or there is a standing offer with a value greater than \$10 000 (inclusive of GST) which has been exempted from being published in AusTender because it would disclose exempt matters under the FOI Act, the annual report must include a statement that the contract or standing offer has been exempted, and the value of the contract or standing offer, to the extent that doing so does not disclose the exempt matters.	If applicable, Mandatory
Small business			
17AG(10)(a)	Page 40	A statement that “ <i>[Name of entity] supports small business participation in the Commonwealth Government procurement market. Small and Medium Enterprises (SME) and Small Enterprise participation statistics are available on the Department of Finance’s website.</i> ”	Mandatory
17AG(10)(b)	Page 40	An outline of the ways in which the procurement practices of the entity support small and medium enterprises	Mandatory

PGPA Rule Reference	Part of Report	Description	Requirement
17AG(10)(c)	Not Applicable	If the entity is considered by the Department administered by the Finance Minister as material in nature—a statement that “[Name of entity] recognises the importance of ensuring that small businesses are paid on time. The results of the Survey of Australian Government Payments to Small Business are available on the Treasury’s website.”	If applicable, Mandatory
Financial Statements			
17AD(e)	Pages 48-80	Inclusion of the annual financial statements in accordance with subsection 43(4) of the Act.	Mandatory
Executive Remuneration			
17AD(da)	Pages 93-94	Information about executive remuneration in accordance with Subdivision C of Division 3A of Part 2-3 of the Rule	Mandatory
17AD(f) Other Mandatory Information			
17AH(1)(a)(i)	Not Applicable	If the entity conducted advertising campaigns, a statement that “During [reporting period], the [name of entity] conducted the following advertising campaigns: [name of advertising campaigns undertaken]. Further information on those advertising campaigns is available at [address of entity’s website] and in the reports on Australian Government advertising prepared by the Department of Finance. Those reports are available on the Department of Finance’s website.”	If applicable, Mandatory
17AH(1)(a)(ii)	Page 40	If the entity did not conduct advertising campaigns, a statement to that effect.	If applicable, Mandatory
17AH(1)(b)	Page 40	A statement that “Information on grants awarded by [name of entity] during [reporting period] is available at [address of entity’s website].”	If applicable, Mandatory
17AH(1)(c)	Page 38	Outline of mechanisms of disability reporting, including reference to website for further information.	Mandatory
17AH(1)(d)	Page 38	Website reference to where the entity’s Information Publication Scheme statement pursuant to Part II of FOI Act can be found.	Mandatory
17AH(1)(e)	Not Applicable	Correction of material errors in previous annual report	If applicable, mandatory
17AH(2)	Page 38	Information required by other legislation	Mandatory

Appendix 2: Work health and safety

We have a number of obligations under the *Work Health and Safety Act 2011* (WHS Act) and our own Commission Determination (non-SES employees) 2018/01. We take these obligations seriously as the health and wellbeing of our workforce is critical.

Our vision for health and safety is a healthy, engaged and productive workforce. A range of programs exist to support a safe workplace and the elimination or minimisation of work health and safety risks. Examples include:

- ◆ first aid services to support immediate and effective treatment where injuries or illnesses occur
- ◆ free influenza vaccinations
- ◆ support to employees available from emergency wardens, first aid officers and health and safety representatives
- ◆ free counselling services provided by our Employee Assistance Provider
- ◆ consultation with our staff and their representatives about health and safety matters, through a Health and Safety Committee
- ◆ continued use of strategies to support staff attendance and management of employee wellbeing.

We manage risks and issues in accordance with our health and safety policy and our risk management framework.

Our Comcare premium figure was \$199,838.10 (inc. GST) for 2018–19 and is expected to remain the same next year.

There were no notifiable incidents in 2018–19.

Appendix 3: Engagement activities, major events and resources

This appendix details engagement activities, including major events, online and social media presence, and resources. In addition, state managers in NSW and SA routinely engaged with stakeholders throughout 2018–19. Engagement focused on education and information about the establishment of the NDIS Commission, and its functions, including registration and reportable incidents, complaints, restrictive practice, and behaviour support.

Major Events		
27 March 2019	Transition Information Session	Darwin/live webinar stream
29 March 2019	Transition Information Session	Brisbane/live webinar stream
1 April 2019	Transition Information Session	Alice Springs/live webinar stream
3 April 2019	Transition Information Session	Melbourne/live webinar stream
4 April 2019	National Disability Services Forum	Hobart
5 April 2019	Transition Information Session	Canberra/live webinar stream
12 June 2019	Provider Information Session	Darwin
13 June 2019	Provider Information Session	Townsville
14 June 2019	Provider Information Session	Brisbane
17 June 2019	Provider Information Session	Via webinar
18 June 2019	Provider Information Session	Alice Springs
20 June 2019	Provider Information Session	Canberra
21 June 2019	Provider Information Session	Hobart
24 June 2019	Provider Information Session	Melbourne
24- 25 June 2019	Advocacy Forum	Melbourne

Online and social media presence	
June 2019	NDIS Commission's Facebook page launched, with 362 followers as at 30 June 2019
October 2018	NDIS Commission's LinkedIn page launched, with 3,050 followers as at 30 June 2019

Provider Newsletters and Provider Alerts	
Provider Newsletter	
December 2018	Provider Newsletter
March 2019	Provider Newsletter
May 2019	Worker Orientation Module introduction
Provider Alert	
May 2019	A Proportionate Approach to Audits
May 2019	Updates to Audit Scopes for Early Childhood and Therapeutic Supports
June 2019	NDIS Worker Screening Check Implementation Update - SA
June 2019	NDIS Worker Screening Check Implementation Update - NSW

Resources	
June 2019	Provider Information Pack: Comprises a series of booklets and fact sheets containing the key information NDIS providers need to provide supports and services to NDIS participants
June 2019	Participant Welcome Pack: Comprises fact sheets, as well as a postcard and bookmark containing information about participants' rights, the role of the NDIS Commission, choosing quality and safe supports, and how to make a complaint. <i>Available in standard, Easy Read and Auslan formats, with Braille versions available through the online order form</i>
June 2019	Behaviour Support videos: Two short videos explaining: (a) requirements of behaviour support practitioners who develop behaviour support plans for NDIS participants, and (b) the requirements of providers implementing behaviour support plans
June 2019	Corporate video: Welcome to the NDIS Commission with Graeme Head, Commissioner. <i>Available in standard and Auslan formats</i>
June 2019	Corporate video: Understanding Provider Registration in the NDIS Commission with Samantha Taylor, Registrar. <i>Available in standard and Auslan formats</i>
June 2019	Corporate video: Understanding Complaints in the NDIS Commission with Miranda Bruyniks, Complaints Commissioner. <i>Available in standard and Auslan formats</i>
June 2019	NDIS Code of Conduct poster: This downloadable poster, which can be printed in A3 or A4 size, outlines the requirements of the NDIS Code of Conduct and is a useful resource to pin up in work areas
June 2019	Complaints Management and Resolution Guidance: Detailed guidance for providers on the complaints' management and resolution process under the NDIS Commission
June 2019	Positive Behaviour Support Capability Framework: Establishes clear expectations for behaviour support practitioners
June 2019	Reportable incidents and complaints fact sheets: Guidance on the processes for reporting incidents and complaints before, and after, the date each state or territory transitioned to the NDIS Commission
June 2019	Reportable Incident: Detailed guidance for providers to support their understanding and compliance with the Rules
June 2019	Incident Management System Guidance: to assist registered NDIS providers in developing or improving their incident management systems to help meet their requirements
June 2019	Detailed Guidance: Expectations of workers providing services in incident management and reporting incidents
June 2019	Incident Management and reportable incident factsheets: <ul style="list-style-type: none"> ◆ Registered NDIS providers incident management and reporting ◆ When to notify the Commission ◆ Supporting information requirements for notification ◆ Reportable incident participant factsheet
June 2019	Reportable Incident Quick Reference Guide: <ul style="list-style-type: none"> ◆ Creating an immediate notification ◆ Completing the 5 day notification form ◆ Managing my reportable incidents ◆ Accessing the NDIS Commission Portal
June 2019	My Reportable Incidents – Quick Reference Guide: This document contains answers to frequently asked questions about using the 'My Reportable Incidents' page on the NDIS Commission Portal
May 2019	Worker Orientation Module 'Quality, Safety and You': Interactive online course that explains the obligations of workers under the NDIS Code of Conduct, from the perspective of NDIS participants.

Resources	
March 2019	The NDIS Code of Conduct – Guidance for Workers: Guidance for workers in the NDIS about complying with the NDIS Code of Conduct
March 2019	The NDIS Code of Conduct – Guidance for Service Providers: Guidance for NDIS providers, including NDIA community partners, about complying with the NDIS Code of Conduct
July 2018 – March 2019	Fact sheets: Then and now for providers: These resources summarise the changes to the requirements of providers as a result of the introduction of the NDIS Commission in each state and territory
July 2018	Fact sheet: The NDIS Code of Conduct: One-page version of the NDIS Code of Conduct, available on the NDIS Commission website
July 2018	Fact sheet: NDIS Code of Conduct – Summary for workers: Guide designed to help those who work with people with disability to become familiar with the appropriate and ethical conduct expected under the Code of Conduct
July 2018	Fact sheet: NDIS Commission - What does this mean for providers?
July 2018	Fact sheet: About the NDIS Quality and Safeguards Commission: Summarises what the NDIS Commission does for participants, providers and workers
July 2018	Fact sheet: How to register as an NDIS provider: Explains how NDIS providers register with the NDIS Commission

Appendix 4: Glossary

Definitions

Word	Definition
Commissioner	The NDIS Quality and Safeguards Commissioner
FOI Act	The <i>Freedom of Information Act 1982 (Cwth)</i>
NDIS Act	The <i>National Disability Insurance Scheme Act 2013 (Cwth)</i>
NDIS Commission or Commission	The NDIS Quality and Safeguards Commission
NDIS Provider Register	The register maintained under section 73ZS of the NDIS Act
Participant or NDIS Participant	A person who is a participant in the NDIS as defined in the NDIS Act, sections 28-30
PGPA Act	The <i>Public Governance, Performance and Accountability Act 2013 (Cwth)</i>
Provider or NDIS Provider	A person or legal entity who is an NDIS provider as defined in section 9 of the NDIS Act
Restrictive Practice	Anything that restricts the rights or freedom of movement of a person with disability
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

Acronyms

- ◆ AASB – Australian Accounting Standards Board
- ◆ ACT – Australian Capital Territory
- ◆ AHPA – Allied Health Professions Australia
- ◆ ANAO – Australian National Audit Office
- ◆ AO – Order of Australia, Officer in the General Division
- ◆ APS – Australian Public Service
- ◆ ASD – Autism Spectrum Disorder
- ◆ ASL – Average Staffing Level
- ◆ ATO – Australian Taxation Office
- ◆ CEO – Chief Executive Officer
- ◆ COAG – Council of Australian Governments
- ◆ COS – Commission Operating System
- ◆ CSS – Commonwealth Superannuation Scheme
- ◆ DSS – Department of Social Services
- ◆ ELT – Executive Leadership Team
- ◆ EVA – Executive Vehicle Allowance
- ◆ FBT – Fringe Benefits Tax
- ◆ FOI Act – *Freedom of Information Act 1982*
- ◆ FRR – Financial Reporting Rule
- ◆ FTE – Full Time Equivalent

- ◆ GST – Goods and Services Tax
- ◆ ICT – information, communications and technology
- ◆ IPS – Information Publication Scheme
- ◆ LSL – Long Service Leave
- ◆ MOG – Machinery of Government
- ◆ NDIA – National Disability Insurance Agency
- ◆ NDIS – National Disability Insurance Scheme
- ◆ NDIS Act – *National Disability Insurance Scheme Act 2013*
- ◆ NDIS Commission – NDIS Quality and Safeguards Commission
- ◆ NSW – New South Wales
- ◆ NT – Northern Territory
- ◆ OPA – Official Public Account
- ◆ PBS – Portfolio Budget Statements
- ◆ PBS – Positive Behaviour Supports
- ◆ PGPA Act – *Public Governance, Performance and Accountability Act 2013*
- ◆ PSM – Public Service Medal
- ◆ PSS – Public Sector Superannuation Scheme
- ◆ PSSap – PSS Accumulation Plan
- ◆ QLD – Queensland
- ◆ RL – Recreation leave
- ◆ SA – South Australia
- ◆ SES – Senior Executive Service
- ◆ SME – Small and Medium Enterprises
- ◆ TAS – Tasmania
- ◆ VIC – Victoria
- ◆ WA – Western Australia

Appendix 5: Information about remuneration for key management personnel, senior executives, and other highly paid staff

Information about remuneration for Key Management Personnel

Name	Position title	Short-term benefits				Post employment benefits	Other long-term benefits		Termination benefits	Total remuneration
		Base salary	Bonuses	Other benefits and allowances	Superannuation contributions		Long service leave	Other long-term benefits		
Graeme Head	Accountable Authority (Commissioner)	465,395		41,139	70,881	8,476			585,891	
Samantha Taylor	Registrar	307,321		56,109	46,344	8,770			418,544	
Dr Jeffrey Chan	Senior Practitioner	241,207		49,541	38,255	4,183			333,186	
Miranda Bruyniks	Complaints Commissioner	226,559		57,811	37,244	6,734			328,348	
Jason Stott	Chief Operating Officer	218,615		48,068	35,101	7,182			308,966	

Information about remuneration for senior executives

Total remuneration bands	Short-term benefits					Post-employment benefits			Other long-term benefits		Termination benefits	Total remuneration
	Number of senior executives	Average base salary	Average bonuses	Average other benefits and allowances	Average superannuation contributions	Average long service leave	Average other long-term benefits	Average termination benefits	Total remuneration			
\$0 - \$220,000	1	89,451.86		20,686.47	16,317.12	3,322.00			129,777.45			
\$220,001 - \$245,000	1	167,653.04		42,195.38	28,920.49	5,217.00			243,985.91			
\$245,001 - \$270,000	1	181,545.12		40,781.34	36,272.00	3,451.00			262,049.46			
\$270,001 - \$295,000												
\$295,001 and above	1	211,362.47		47,145.59	39,449.40	6,273.00			304,230.46			

Information about remuneration for other highly paid staff

There are no staff other than SES officers with a total remuneration above \$220,000

Appendix 6: Entity Resource Statement

The below entity resource statement supplements the financial statements in Chapter 4 of the Annual Report by providing an integrated table summarising the total resources of, and payments made by, the entity.

	Actual Available appropriation - current year (a)	Payments made (b)	Balance remaining (a)-(b)
	\$'000	\$'000	\$'000
Departmental			
Annual appropriations - ordinary annual services (i)	35,122	26,250	8,872
Section 74 transfers	815	-	815
Section 75 transfers (ii)	2,510	-	2,510
Total departmental annual appropriations	38,447	26,250	12,197
Departmental non-operating			
Equity injection (iii)	2,498	2,169	329
Total departmental non-operating	2,498	2,169	329
Total departmental resourcing (A)	40,945	28,419	12,526
Administered			
Annual appropriations - ordinary annual services (iv)	1,310	-	1,310
Annual appropriations - other services - new administered expenses (v)	5,810	4,847	963
Total administered annual appropriations	7,120	4,847	2,273
Total administered resourcing (B)	7,120	4,847	2,273
Total resourcing and payments for NDIS Quality and Safeguards Commission (A + B)	48,065	33,266	14,799

- i. Appropriation Act (No.1) 2018-19 and Appropriation Act (No.3) 2018-19
- ii. Appropriation Act (No.1) 2017-18
- iii. Appropriation Act (No.2) 2018-19 Equity Injections
- iv. Appropriation Act (No.3) 2018-19
- v. Appropriation Act (No.2) 2018-19 New Administered Outcomes

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NDIS Quality and Safeguards Commission

Annual Report 2018-2019

To contact the NDIS Commission

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