

Ms Tracy Mackey
Commissioner
NDIS Quality and Safeguards Commission
PO Box 210
PENRITH NSW 2750

Tracy

Dear Commissioner

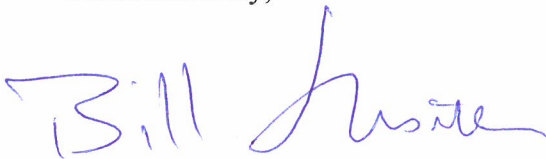
As the Minister for the National Disability Insurance Scheme (NDIS), I am writing to you to formalise my expectations of you, and of the NDIS Quality and Safeguards Commission (the Commission), in carrying out the role as regulator of the NDIS market and in the delivery of the Australian Government's commitment to improve and reform the operation of the NDIS. The enclosed Statement of Expectations focuses on the period until 30 June 2024.

These expectations are consistent with the Government's commitment to ensure effective governance and performance of the Commission, in accordance with the requirements of the *National Disability Insurance Scheme Act 2013* (NDIS Act), the *Public Governance, Performance and Accountability Act 2013* (PGPA Act) and the Regulator Performance Guide 2021.

Please provide your response to my letter within a month of its receipt, in a Statement of Intent that addresses my expectations and articulates how the Commission will strive to adopt the principles of best practice through its plans and strategies for the coming years.

I look forward to hearing from you.

Yours sincerely,



Bill Shorten MP

20 / 12 / 2022

Statement of Expectations – National Disability Insurance Scheme Quality and Safeguards Commission

1. This Statement of Expectations outlines the Australian Government's expectations of how the NDIS Quality and Safeguards Commission (Commission) will achieve its objectives and carry out its functions to administer the nationally consistent regulatory framework for NDIS providers and workers.
2. The Government expects the Commission to actively contribute to the Government's goals including getting the NDIS back on track, and keeping NDIS participants safe. In doing this, the Government expects the Commission to:
 - 2.1. promote the sound operation of the NDIS disability services sector for the benefit of people with disability and their families;
 - 2.2. minimise the costs and burdens of regulatory requirements for regulated entities and participants; and
 - 2.3. administer the law in a way that ensures the rights and safety of people with disability remain at the forefront, and prioritises the safety and wellbeing of people with disability, while promoting innovation and higher standards of service provision.
3. In achieving its objectives, carrying out its functions, and exercising its powers, the Government also expects the Commission to:
 - 3.1. ensure its actions are not inconsistent with the policies of the Government, perform its functions in accordance with the National Disability Insurance Scheme Act 2013, including its functions in accordance with section 181E of the NDIS Act and the NDIS Quality and Safeguarding Framework;
 - 3.2. fully comply with all relevant legislation including the Public Service Act and the Public Governance, Performance and Accountability Act and adhere to the performance expectations of regulators outlined in the Regulator Performance Guide 2021;
 - 3.3. consult with the Government, Department of Social Services (the Department) and National Disability Insurance Agency (NDIA) in exercising its functions that may impact or change quality and safeguarding arrangements for NDIS providers and workers such as rule-making powers;
 - 3.4. provide accurate and timely assistance and advice to Government and the Department to ensure the Department can manage its policy responsibilities and corporate operations of the Social Services Portfolio, including the Portfolio's budgetary relationship with Government and the Department of Finance;
 - 3.5. strengthen proactive information sharing arrangements between the Commission and other Commonwealth regulators to ensure adverse

information about providers and workers subject to regulatory compliance and/or enforcement action in the NDIS and other key Commonwealth services are mutually known to each regulator to inform their own actions;

- 3.6. help enable NDIS participants, through the provision of information, to make informed choices around supports delivered by the NDIS market in a way that both serves them and fosters ongoing market provision, diversity and safety;
 - 3.7. uplift quality and safe delivery of supports and services through identification and promotion of innovative provider models, education, and strengthening workforce capability;
 - 3.8. contribute to actions to ensure continuity of support to address thin markets in collaboration with Government, the National Disability Insurance Agency (NDIA) and the Department;
 - 3.9. continue to build flexibility and responsiveness to support participants and providers during the COVID-19 pandemic and other national emergencies to ensure participant safety and continuity of quality and safe supports;
 - 3.10. strengthen compliance and enforcement operations in a proportionate risk-based manner, and prevent and respond to non-compliance with responsive risk-based regulatory approaches;
 - 3.11. identify fraud allegations and sharp practices notified to the Commission and work with the NDIA and other relevant agencies to respond;
 - 3.12. contribute to the objectives and implementation of the Safety Targeted Action Plan under Australia's Disability Strategy and measuring of progress against Australia's Disability Strategy;
 - 3.13. actively contribute to the NDIS review, Government reforms and reviews and inquiries including the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, and the Government's response to the Joint Standing Committee on the NDIS Commission. This includes working in partnership with the Department and NDIA to implement changes to quality and safeguarding arrangements to ensure it meets the needs of NDIS participants and their families; and
4. In its role as an integral part of the NDIS ecosystem, the Government expects the Commission to:
- 4.1. work in partnership with Government, the NDIA and the Department to deliver on the Government's priorities for an effective NDIS;
 - 4.2. foster strong working relationships, open communication and productive engagement with all stakeholders including participants and their supporters, providers and advocates, Commonwealth agencies and state

and territory officials and build trust and confidence of all stakeholders in the Commission; and

- 4.3. ensure engagement in relation to the provision of safe, quality NDIS supports and services includes a specific focus on children and young people, Aboriginal and Torres Strait Islander people, culturally and linguistically diverse people and people living in rural and remote locations.