16 September 2024

The Australian Government is progressing a new registration system for the National Disability Insurance Scheme (NDIS) that will better support participants through stronger regulation of providers.

The NDIS Provider and Worker Registration Taskforce (the Taskforce) recently provided advice to the Government on the design and implementation of a new regulatory model.

The Taskforce, led by prominent human rights lawyer, Natalie Wade, was established in February 2024 to provide independent advice on the design and implementation of the new graduated risk-proportionate regulatory model proposed in the NDIS Review.

The Taskforce made 11 recommendations and 10 implementation actions covering provider and worker registration, some of which required an immediate response and others that will be designed with close consultation with the disability community. The Taskforce conducted thorough consultation, and this important process will continue.

As an immediate response, the Australian Government will now require all platform providers, support coordinators and Supported Independent Living (SIL) providers to be registered.

Minister for the NDIS and Government Services Bill Shorten MP said registration for these providers and coordinators was recommended by the Taskforce to strengthen safeguards for NDIS participants.

“The Taskforce made several recommendations on a new regulatory model that will require co-design with the disability community, including mandatory registration for platform and SIL providers, and support coordinators as our first change,” Minister Shorten said.

“Through the NDIS Quality and Safeguards Commission (NDIS Commission) and under the current registration model, I am progressing registration of platform providers (that is, providers that connect participants with workers to deliver NDIS supports), support coordinators, and providers of Supported Independent Living (SIL).

“The Commission will progress Rule changes to mandate registration for Support Coordination, Platform Providers and SIL. Consultation on these changes will commence in October. The new Rules will allow for a period of transition to the new mandatory registration arrangements.”

Implementation of these recommendations will require amendments to National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018 (the NDIS Rules).

“The Albanese Government will also shortly commence consultation with the disability community on some of the design elements of a new regulatory model. This includes the registration approach and NDIS Practice Standards for SIL providers.” Minister Shorten said.

“Consultation with the disability community will be critical to the Government’s decision making on the implementation approach of a new regulatory model.

“Our initial consultations will focus on the Taskforce recommendation for participants who self-direct their supports. The initial consultation will consider the definition of self-directed supports for the purpose of registration.

“At its core, the new model will be designed to uphold the rights of participants who self-direct their supports while providing appropriate visibility of these arrangements to the NDIS Commission.”

Initial consultation with the disability community, NDIS providers and states and territories will also focus on the definition of ‘NDIS Provider’ as proposed by the Taskforce.

This will require careful consideration to ensure the definition upholds the rights of NDIS participants while enabling appropriate visibility of the NDIS provider market delivering supports and services.

“I am committed to progressing reform that strengthens risk-proportionate regulation to increase the quality and safety of NDIS supports,” Minister Shorten said.

The information gathered through the consultation process will assist with future Government decision on the proposed changes to the registration model.

The NDIS Commission is currently undertaking a review of the NDIS Rules in consultation with people with disability, NDIS providers and state and territory governments.

“The NDIS Commission’s review will better position us to progress design and implementation of a new model, including addressing critical changes that need to be made to ensure its long-term viability,” Minister Shorten said.

In addition to these important changes, the NDIS Commission is progressing the development of a prioritisation model to be used across the NDIS Commission to ensure all matters are assessed, prioritised and appropriate regulatory action taken.

This work is necessary as the NDIS Commission continues to see an increasing number of complaints and reportable incidents lodged each year.

In the 2023-24 financial year, the NDIS Commission received just over 29,000 complaints and 82,000 reportable incidents.

This represents an 80 per cent and 47 per cent increase respectively on the previous year. These numbers are growing every year.

The Commission’s ability to take action was radically assisted by a record investment in the 2023/24 Budget of $142.6 million, which almost tripled its footprint with an additional 320 new staff.

The Taskforce’s advice is available on the Department of Social Services website .

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