

Module	NDIS
Jurisdictions	CTH, NSW, VIC, SA, TAS, WA, NT, QLD, ACT
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Module Scope

Does your organisation provide services or supports to participants of the National Disability Insurance Scheme (NDIS)?

Is your organisation registered under the NDIS?

Does your organisation manage participant funding under the NDIS?

Module Application

The *NATIONAL DISABILITY INSURANCE SCHEME* module provides information for organisations that provide services or supports to participants of the National Disability Insurance Scheme (NDIS). The NDIS is coordinated by the Commonwealth government through the National Disability Insurance Agency (NDIA). The NDIA is responsible for making decisions about participant eligibility and funding.

The NDIS Quality and Safeguards Commission is responsible for regulating and registering providers of NDIS services, investigating and resolving complaints against all NDIS support providers and improving the quality and safety of NDIS services in Australia.

The specific requirements that apply to each NDIS provider will depend on whether they are registered, and the type of supports or services they offer. The *NATIONAL DISABILITY INSURANCE SCHEME* module comprehensively covers the following topics:

- › Principles of the NDIS
- › Participant eligibility
- › Participants' plans
- › Provider registration
- › Provider requirements once registered
- › Incident management and reportable incidents
- › Worker screening
- › Complaints management and resolution
- › Information sharing and privacy
- › Monitoring and investigation by the NDIS Quality and Safeguards Commission
- › Reviewable decisions

Organisations and their employees are expected to be familiar with the broad landscape of legal obligations which apply to NDIS providers as well as the more specific obligations relevant to the particular sector they are operating in. The *NATIONAL DISABILITY INSURANCE SCHEME* module outlines a number of specific objectives and principles which must be met by organisations operating in the disability sector. The aim of the module is to equip the subscriber with knowledge of their requirements under the legislation and the relevant systems and processes that should be implemented to ensure compliance with the NDIS to achieve better health and quality of life for participants.

The specific questions and answers covered by the module are:

- › What are the legal obligations and legal regulations?
- › How do the obligations and regulations apply to different NDIS providers?
- › What processes or procedures should be in place to ensure compliance?
- › What are the consequences if the legal obligations and regulations are breached?

The legislative and regulatory landscape from which the primary legal obligations are derived include:

- › National Disability Insurance Scheme Act 2013 (Cth)
- › National Disability Insurance Scheme (Supports for Participants) Rules 2013 (Cth)
- › National Disability Insurance Scheme (Becoming a Participant) Rules 2016 (Cth)
- › National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018 (Cth)
- › National Disability Insurance Scheme (Code of Conduct) Rules 2018 (Cth)
- › National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018 (Cth)
- › National Disability Insurance Scheme (Practice Standards – Worker Screening) Rules 2018 (Cth)
- › National Disability Insurance Scheme (Incident Management and Reportable Incidents) Rules 2018 (Cth)
- › National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018 (Cth)
- › National Disability Insurance Scheme (Specialist Disability Accommodation) Rules 2020 (Cth)
- › National Disability Insurance Scheme (Protection and Disclosure of Information) Rules 2013 (Cth)
- › National Disability Insurance Scheme (Nominees) Rules 2013 (Cth)
- › National Disability Insurance Scheme (Children) Rules 2013 (Cth)
- › National Disability Insurance Scheme (Quality Indicators) Guidelines 2018 (Cth)

The *NATIONAL DISABILITY INSURANCE SCHEME* module covers all of an organisation's obligations under the legislation and demonstrates practical assistance and guidance to ensure that these obligations are complied with through the implementation and maintenance of best practice processes throughout the organisation.

Significant consequences can apply to Australian organisations and their employees found to have breached or not complied with their legal obligations. These consequences vary considerably depending on the nature and extent of the breach or failure. The *NATIONAL DISABILITY INSURANCE SCHEME* module covers the specific consequences in detail, which can include monetary penalties, disciplinary measures and even terms of imprisonment in some circumstances.

The *NATIONAL DISABILITY INSURANCE SCHEME* module covers the role and responsibilities of an organisation. It does not cover the role or actions to be taken by consumers in the event of a breach of regulations or obligations by an organisation.

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