

# Policy, procedures and forms for the registration of disability service providers and community services

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## Definitions

<b>Approved form</b>	Means any of the following: <ul style="list-style-type: none"><li>• <i>Application for registration as a disability service provider and/or community service</i></li><li>• <i>Application for renewal of registration as a disability service provider and/or community service</i></li><li>• <i>Change of information recorded on the Register as a disability service provider and/or Register of community services</i> contained in this document, as updated by the department from time to time.</li><li>• <i>Removal of information recorded on the Register of disability service providers and/or Register of community services</i></li></ul>
<b>Community service</b>	Means a 'community service' as defined in the <i>Children, Youth and Families Act 2005 (Vic)</i> , meaning a service established to meet the needs of children requiring care, support, protection or accommodation and of families requiring support, namely out-of-home care services, community-based child and family services and prescribed services.
<b>Department</b>	Means the Department of Human Services.
<b>Disability service</b>	Means a 'disability service' as defined in the <i>Disability Act 2006 (Vic)</i> , being a service that is provided specifically for the support of persons with a disability by a disability service provider. Services and amenities accessed by people with a disability which are generally accessible in the community and not specifically for persons with a disability (e.g. health, sporting or recreation services) do not constitute disability services.
<b>Disability service provider or DSP</b>	Means a 'disability service provider' as defined in the Disability Act, being: <ul style="list-style-type: none"><li>• the Secretary of the Department of Human Services; or</li><li>• a person or entity registered on the <i>Register of disability service providers</i>.</li></ul>
<b>Entity</b>	Means a natural person, legal entity, partnership or a natural person on behalf of an unincorporated body.
<b>Independent review</b>	Means any assessment, audit or review of a registered entity conducted by an independent review body, and includes assessment of the level of compliance with the standards and any other matters that the department reasonably requires to be investigated to the department's satisfaction.
<b>Independent review body</b>	Means a body endorsed by the department to assess service providers' compliance with the standards.
<b>In-scope activities</b>	Means the activities funded by the department for which registration is required, as specified in the department's <i>Policy and funding plan</i> and updated from time to time, and as set out in this policy.
<b>Activities in scope of independent review</b>	Means the activities funded by the department which are in scope of independent review against the standards, as specified in the department's <i>Policy and funding plan</i> and updated from time to time.
<b>Minister</b>	Means the Minister for Community Services.

<b>Natural person</b>	Means a person of at least 18 years of age, with mental capacity to understand a legal agreement and who is not bankrupt.
<b>Register/s</b>	Means: <ul style="list-style-type: none"> <li>• the <i>Register of disability service providers</i> referred to in section 46 of the Disability Act; and/or</li> <li>• the <i>Register of community services</i> referred to in section 54 of the Children, Youth and Families Act.</li> </ul>
<b>Secretary</b>	Means the Secretary of the Department of Human Services. In this policy, where a power of the 'Secretary' is referred to, this is also a reference to that power exercised by the Secretary's delegate/s.
<b>Service agreement</b>	Means an agreement between the department and an entity which the department funds to deliver services to the community on behalf of the department, subject to certain service requirements, terms and conditions.
<b>Standards</b>	Means: <ul style="list-style-type: none"> <li>• if the Organisation is registered under the Children Youth and Families Act, any performance standards made under that Act and the governance standards of their independent review body;</li> <li>• if the Organisation is registered under the Disability Act, any performance standards made under that Act and the governance standards of their independent review body;</li> <li>• any standards developed or endorsed by the Department including the <i>Industry standards for disability services</i> and the <i>Outcome standards for disability services</i> (collectively known as the <i>Standards for disability services in Victoria</i>), the <i>Registration standards for community service organisations</i> effective to 30 June 2012 and the gazetted <i>Department of Human Services standards</i> from 1 July 2012.</li> </ul>
<b>Standards and Regulation Unit</b>	Means the Standards and Regulation Unit of the department, which manages the quality, compliance and registration functions of the department, the contact details for which are included in this document.
<b>The Act/s</b>	Means the Disability Act 2006 and/or Children, Youth and Families Act 2005.  The Disability Act came into effect on 1 July 2007. It provides a framework for a whole-of-government and whole-of-community approach to enable people with a disability to actively participate in community life. The Act is guided by the principles of human rights and citizenship, and sets out the requirements for the registration of disability service providers.  The Children, Youth and Families Act came into effect on 23 April 2007. It provides a framework to promote children's safety, wellbeing and development. The foundation of the Act, and the basis for all decision making and actions taken under the Act, is the best interests principle, which includes the need to protect a child from harm, protect their rights and promote their development. The Act sets out the requirements for the registration of community services.

## Introduction

### **Purpose**

This policy guides the interpretation and application of the powers, authorities and responsibilities created by, or referenced in, the Acts for the registration of Disability Service Providers and community services.

### **Key legislative and policy requirements**

The key legislative and policy requirements underpinning this policy include:

- Registration is required for entities that have a service agreement with the department to deliver in-scope activities for registration.
- Entities must deliver services to people who reside in Victoria to be eligible for registration.
- An application for registration must be made in the name of the legal entity or natural person. A natural person and unincorporated body may be registered as a DSP, but not as a community service.
- Entities that apply for registration will be required to demonstrate their capacity to deliver services in compliance with the relevant Act/s, including the gazetted standards.
- Entities that apply for the renewal of their registration will be required to demonstrate their compliance with the relevant Act/s and the gazetted standards.
- Registration and renewal of registration will be for a period of three years, unless revoked earlier. In exceptional circumstances, the Secretary may exercise discretion to grant DSPs registration for a period greater than three years.
- The Secretary may impose any conditions or restrictions on the registration, or renewal of registration, of a DSP or community service, as deemed appropriate.
- Renewal of registration for community services will not take effect until the expiry of the existing registration period.
- Renewal of registration for disability service providers will be effective from the date the renewal is approved.
- As of the 1 July 2012, entities will be required to apply for renewal of registration within 60 business days of confirmation in writing, from their independent review body, of their compliance with the standards. An application for renewal should be received by the department not less than 60 business days prior to the expiry of registration, to allow time for the application to be assessed.
- Although the Acts do not allow for department-managed services to be registered, these services must comply with the Acts.

### **Responsibilities of registered entities**

Registered entities have a responsibility to:

- comply with the relevant Acts and the standards
- comply with any conditions or restrictions on registration
- advise the Director, Business Relationship Management Branch, Corporate Services (within 14 days) of any changes to the details on the register/s or information to be removed on the register/s.

## Who should register?

### Entities with direct funding from the department

Where the department identifies a service provider and is prepared to execute a service agreement for the delivery of in-scope activities, the entity must be registered as a DSP or community service prior to the commencement of services.

Exceptions to this requirement include:

- Where a service provider is registered as a DSP or Community Service and provides in-scope activities under a different business name (but the same legal entity), the service provider must notify the department of the business name and this name will also be included in the Register. Where in-scope activities are to be provided by a separate legal entity, this entity must apply for separate registration under the relevant Act/s. The requirements of this policy apply to all organisations whose business name appears on the register.
- A community service which is paid on invoice by the department to deliver out-of-home care contingency placements. Although it does not have a service agreement, the entity will be required to register as a community service prior to the commencement of services.

### Application to register as a DSP as required by the Secretary

In accordance with section 40(3) of the Disability Act, the Secretary may require an entity to apply for registration as a disability service provider before any funds are provided.

### Sub-contracting arrangements

Where a registered DSP or Community Service wishes to sub-contract another entity to perform part of the services under its Service Agreement (if permitted under the Service Agreement), the department may require the proposed sub-contracted entity to be registered under the Act/s prior to providing any services.

The registered entity is required to inform the Standards and Regulation Unit of any proposed sub-contracting arrangement/s which arise during its period of registration, at the time the sub-contracting arrangement is being negotiated with the department.

Irrespective of their registration status, sub-contracted agencies must comply with the standards and the requirements specified in the service agreement.

### Deemed registered disability service providers

The *Disability Act 2006* allows the Secretary to 'deem' a person or body to be registered as a DSP if the person or body is a Community Service registered under the *Children, Youth and Families Act 2005* and provides a service specifically for the support of persons with a disability who are children (section 48). If the Secretary deems a person or a body a DSP under this provision, that person or body does not need to submit a separate application for registration as a DSP.

## **In-scope activities for disability service providers**

### **In-scope activities requiring registration (disability services)**

At an activity level, the following activities are considered to be specifically for the support of persons with a disability. Entities funded to deliver any of these activities require registration as a DSP:

#### **Individual support**

- day services (17022)
- flexible support packages (17034)
- futures for young adults (17201)
- individual support packages (including facilitation) (17081) (only where funded through a service agreement)
- outreach support (17008)
- recreation (17035)
- respite (17010)

#### **Targeted services**

- criminal justice services (17006)
- independent living training (17023)
- behaviour intervention services (17026)
- therapy (17042)

#### **Information planning and capacity building**

- access (17044)
- case management (17028)

#### **Residential support services**

- shared supported accommodation (17016)
- residential institutions (17017)

At its discretion, the department may change the in-scope activities from time to time.

## **In-scope activities for disability service providers (from 1 July 2012)**

### **In scope activities requiring registration from 1 July 2012 (disability services)**

#### **Self-Directed Support**

- Futures for Young Adults (17201)
- Individual Support Packages (including facilitation) (17081) (only where funded through a service agreement)

#### **Accommodation**

- Facility-Based Respite (17019)
- Criminal Justice Services (17006)
- Supported Accommodation (17016)
- Residential Institutions (17017)

#### **Client Services and Capacity**

- Community Based Respite (17078)
- Recreation (17035)
- Flexible Support Packages (17034)
- Outreach Support (17008)
- Independent Living Training (17023)
- Behaviour Intervention Services (17026)
- Therapy (17042)



- Planning (17252)
- Access (17044)
- Case Management (17028)

At its discretion, the department may change the activities which require registration.

## **In-scope activities for community services**

### **In-scope activities requiring registration (community services)**

At an activity level, the following activities are considered to be specifically for the support of children requiring care, support, protection or accommodation and of families requiring support. Entities funded to deliver these activities require registration as a community service:

#### **Family and community services**

- Aboriginal family services (31165)
- Aboriginal child specialist advice and support services (31263)
- Aboriginal Community Controlled Organisation Services - family and community services (31260) - from 1 July 2012
- cradle to kinder (31264) - from 1 July 2012
- early parenting centre services (31256)
- early parenting centres – parenting assessment and skill development services (31259)
- integrated family services (31245)
- integrated family services – indigenous (31246)
- parenting assessment and skills development services (31255)
- placement prevention programs (31218)
- sexually abusive treatment services (31242)

#### **Specialist support and placement services**

- educational support – children in residential care (31219) - from 1 July 2012
- intensive treatment services (31163)
- home based care - adolescent community placement (31205)
- home based care - kinship care (31202)
- home based care - general (31214)
- home based care - complex (31216)
- home based care - intensive (31418)
- home based care - therapeutic foster care (31413)
- lead tenant (31188) - from 1 July 2012
- residential care (31415)
- residential care - case management (31416)

At its discretion, the department may change the in-scope activities from time to time.

## Application for initial registration

### Entities which deliver disability and community services

Applicants that deliver both disability and community services must apply for registration as a DSP and registration as a community service. Such application should be made using the one *Approved form*. Upon satisfying the relevant criteria for registration and approval by the Secretary's delegate, service providers will be included on the *Register for disability services providers* and the *Register for community services*.

### Application for registration

A service provider may become a registered DSP or community service by making an application to the department using the *Approved form*. In accordance with section 40(3) of the Disability Act, the Secretary may also require an entity to apply for registration.

For applicants seeking to register as a DSP, a single application for registration is required, even where the applicant provides multiple types of disability programs.

For applicants seeking to register as a community service, a single application for registration is required, even where the applicant provides both out-of-home care and community-based child and family services.

### Criteria for initial registration

Upon initial application for registration as a DSP or community service, an entity must provide the department with sufficient evidence to:

- confirm their status as a legal entity or identity as a natural person
- demonstrate the applicant's capacity to deliver services in compliance with the relevant Act/s. An entity will be required to demonstrate its capacity to comply with one or both Acts depending on which in-scope activities it is funded to deliver, by completing a self-assessment against the standards.

Evidence of capacity may include:

- general financial structure, financial viability and/or financial capability to provide the services for the duration of registration
- demonstration of capacity to comply with the standards
- staff qualifications, experience and suitability to manage and deliver services
- the existence of an occupational health and safety system to ensure a safe working environment for the delivery of services
- the existence of a risk management framework
- the suitability of any facilities and related infrastructure necessary for the delivery of services
- alternative accreditation/s or registration/s held.

Applicants will be required to supply the names of two referees who can attest to the entity's expertise and experience, including record of performance in the delivery of the same or similar services.

At its discretion, the department may request from the entity additional evidence for the purpose of registration.

### Exemptions from providing evidence

The department may use its discretion to modify any requirement for evidence where that requirement has already been met through other transactions with the department.

For example, entities that have a service agreement with the department may have already provided some or all of the information sought in the *Schedule of evidence of capacity* in the *Approved form*. Generally, the department will not require organisations to re-submit this information.

**Demonstration of capacity to comply with the standards**

At the time of application for initial registration, entities will be required to undertake a self-assessment against the standards to demonstrate its capacity to comply with the standards. Where an entity does not demonstrate this capacity, the department may:

- attach conditions or restrictions to registration
- refuse the application for registration.

**Ongoing monitoring of compliance with the standards****Compliance with the standards**

For registered entities, compliance with the standards will be monitored via an independent review to be undertaken by a registered entity once in every three year service agreement period (unless otherwise directed). Newly registered entities will be required to undertake an independent review within 6-12 months of their registration and be fully compliant within 18 months of registration.

Where a service provider receives total funding from the department of \$100,000 or less per annum for activities in scope of independent review, it may, with the approval of the department, undertake a self-assessment against the standards once every 18 months, rather than an independent review.

Where a service provider receives total funding from the department of \$20,000 or less per annum for activities in scope of independent review, it may, with the approval of the department, undertake a self-assessment against the standards once every three years at the time of its application for renewal of registration, rather than an independent review.

**Application for renewal of registration****Application for renewal of registration**

To apply for renewal of registration, entities must:

- complete the *Approved form* and
- demonstrate compliance with the standards.

For the purpose of renewal of registration, the department may:

- request from the entity additional evidence to demonstrate the entity's capacity to comply with the relevant Act/s
- consistent with the department's business processes, consider the entity's performance against service and legislative requirements
- consider the information outlined in the criteria for initial registration.

**Non compliance with the standards**

Where an entity does not comply with the standards at the time of application for renewal of registration, the department may:

- allow the entity time to comply with the standards prior to the expiry of their registration
- attach conditions or restrictions to the renewal of registration
- refuse the application for renewal of registration
- commence the process of revoking registration

Refusal of registration or revocation will result in removal of the entity from the register/s and the discontinuation of relevant funding.

**When to renew**

Disability service providers will be required to apply for renewal of their registration prior to its expiry and following achievement of certification against the *Standards for disability services in Victoria*, or accreditation against the Department of Human Services Standards.

Community services will be required to apply for renewal of their registration prior to its expiry, and following demonstration of their compliance with the *Registration standards for community service organisations*, or accreditation against the Department of Human Services Standards.

As of the 1 July 2012, entities will be required to apply for renewal of registration within 60 business days of confirmation in writing, from their independent review body, of their compliance with the standards.

For entities audited against the *Standards for disability services in Victoria* or externally reviewed against the *Registration standards for community service organisations* prior to 30 June 2012, the requirement to apply for renewal of registration within 60 days of compliance with the standards may not apply depending on the date compliance was achieved. Irrespective of this, these entities will still be required to apply for renewal of registration prior to its expiry, and following demonstration of compliance with the standards.

An application for renewal should be received by the department not less than 60 business days prior to the expiry of registration, to allow time for the application to be assessed. Entities that deliver both disability and community services should apply for renewal of registration as a DSP and community service by lodging the one approved form, not less than 60 business days prior to the expiry of their registration as a DSP or community service (whichever comes first). For applications received later than this, the department cannot guarantee that the application for renewal will be processed before expiry of the current registration, in which case the registration will expire, funding will discontinue and the entity will be required to cease the delivery of in-scope activities.

An application for renewal of registration cannot be made after the expiry of registration.

**Period of renewed registration**

For community services, renewal of registration will be effective from the day after the expiry of the current registration and will be valid for a period of three years, unless revoked earlier. For disability service providers, renewal of registration will be effective from the date the renewal is approved and will be valid for a period of three years, unless revoked or extended.

In exceptional circumstances, the Secretary may exercise discretion to grant DSPs registration for a period greater than three years.

**Refusal or revocation of registration****Refusal of an application/ renewal for registration**

An application for registration or renewal of registration may be refused if the entity fails to:

- demonstrate its capacity to deliver services in compliance with the Act/s
- demonstrate its compliance with the standards
- comply with any conditions of registration.

An application for registration or renewal of registration will be refused where:

- an entity fails to provide sufficient evidence of its legal status / identity as a natural person
- a registered entity has ceased to provide the relevant services

- the department has ceased its funding to the entity or terminated its contract
- the entity is not providing services to any persons who live in Victoria.

**Revocation of registration for DSPs**

In accordance with section 43 of the Disability Act, the Secretary must revoke the registration of a DSP if it ceases to provide disability services.

The Secretary may revoke the registration of a DSP where it considers it appropriate to do so, including but not limited to the following circumstances:

- the Secretary has ceased funding to the DSP. Where a DSP provides multiple types of disability services, its registration may not be revoked unless all funding to the entity for in-scope activities has ceased
- the Secretary has terminated a contract with the DSP for the provision of disability services (such as a service agreement)
- the DSP has failed to comply with the requirements of the Act
- in any other circumstances the Secretary considers relevant (for example, the provider has not adhered to conditions or limitations placed on registration).

**Revocation of registration for community services**

In accordance with section 51 of the Children, Youth and Families Act, the Secretary may revoke the registration of a community service prior to its expiry if the Secretary considers it appropriate to do so or as a result of a report from an authorised assessor, an inquiry by the Secretary or a recommendation of an administrator (as set out in the Act).

**Notice before refusal/ revocation of registration**

Where the department is considering refusing or revoking the registration of a DSP or community service, the department will:

- as appropriate, discuss with the entity options to achieve or maintain registration which may include the decision to attach conditions to registration
- issue the entity with a notice, including reasons for the proposed decision
- issue the entity with a notice advising that it has the right to make a submission in writing to the department within 14 days of the notice being given. This submission can be in any commonly accepted written form from an authorised person that may be kept as an official record (e.g. letter or email).
- consider any submission made before making its decision
- inform the entity in writing of the decision and the reasons.

**Appealing the decision to refuse/revoke registration**

Within 28 days of the department's decision to refuse or revoke registration, an entity may appeal the decision, in writing, to the Secretary, Department of Human Services. The department may affirm or overturn a decision to refuse or revoke registration. Should the department uphold the applicant's appeal and registration is granted as a result, the entity's details will be added to the register/s. Where registration is not granted, unless the entity elects to further appeal to VCAT, the entity's details will be removed from the register/s.

Where the decision to refuse or revoke registration is not overturned by the department, within 28 days of this decision or the day the entity receives a statement of reasons for the decision or is informed that a statement of reasons will not be given, an applicant may apply to the Victorian Civil and Administrative Tribunal (VCAT) for review of a decision of the Secretary to refuse registration or revoke registration. VCAT may affirm or overturn a decision to refuse or revoke registration, or return the matter to the department for reconsideration.

Where VCAT upholds the applicant's appeal and registration is granted as a result, the entity's details will be added to the register/s. Where VCAT rejects the applicant's appeal, the decision to refuse registration or renewal of registration will be confirmed, and the entity's details will be removed from the register/s. Funding from the department will cease accordingly.

## Future applications for registration

Following a decision to refuse or revoke registration, it is open to a DSP or community service to re-apply for registration. A subsequent application is only likely to be successful if the reasons for refusal or revocation have been addressed and evidence is submitted to satisfy the criteria for registration.

## Publication and maintenance of the registers

### Details of the registers available to the public

In accordance with the Secretary's obligations under the Acts, the registers will be available to the public through publication on the department's website.

Details available to the public in the registers include:

**Name:** The name of the legal entity or natural person  
Any business name/s of the legal entity under which any in-scope activities are being provided (if applicable).  
Any entity to which in-scope activities will be sub-contracted (if applicable).

**Address:** The address of the entity. The address must be a visiting address, except when the registered entity is a natural person, in which case a postal address (e.g. a PO Box) will be published.

**Contact information:** Contact information for the entity including phone and email.

**Category of registration:** Applicable only to registered community services.

The registers are, from the date of publishing, located on the department's internet site at:

#### **Register of disability service providers:**

<http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/register-of-disability-service-providers-list>

#### **Register of community services:**

<http://www.dhs.vic.gov.au/for-service-providers/children,-youth-and-families/Community-service-organisations/community-service-organisation-register-children-and-families>

### Changes to information on the registers

A registered entity must notify the department in writing within 14 days of any changes to the details kept on the relevant register. *Approved forms* are provided for changes of information and for removal of information and should be used for this purpose. However, notification may be given in any commonly accepted written form from an authorised person that can be kept as an official record (e.g. letter or email).

The department updates the registers regularly, as changes are made, to ensure a current list of registered entities is available to the public.

### Changes to category of registration for community services

A community service must lodge an Approved form (*Application for registration as a disability service provider and/or community service*) where any changes to its funding arrangements with the department requires a change to its category of registration. For example, an out-of-home care provider which secures funding from the department to deliver community-based child and family services must lodge an *Approved form* for approval to change its category of registration to include community-based child and family services.

The registered entity is required to inform the Standards and Regulation Unit of any proposed changes to its category of registration, at the time funds for the delivery of new in-scope activities is being negotiated with the department.

## Procedures for the registration of disability service providers and community services

July 2012

## Procedures to support disability service providers and community services with registration matters

### Purpose

The purpose of these procedures is to provide DSPs and community services with information on how to:

- apply for registration and renewal of registration
- respond to a notice of intent to refuse or revoke registration
- appeal a decision to refuse or revoke registration
- change their details on the *Register of disability service providers* and/or *Register of community services*.
- remove their details from the *Register of disability service providers* and/or *Register of community services*.



## Procedure 1: Registration of new applicants

### Applying for registration

To apply for registration, an applicant will undertake the following steps:

Step	Action
1	Complete an application by way of the <i>Approved form</i> , ensuring that all details on the application are included and supporting evidence is attached.
2	Send the completed application to the Director, Business Relationship Management Branch, Corporate Services.
3	<p>Await written notice from the Standards and Regulation Unit as to the outcome of the application. The applicant may be asked to provide additional information to support the application and enable the assessment to be completed.</p> <p>The outcome of the application will be either:</p> <ul style="list-style-type: none"> <li>• a <i>Certificate of registration</i> (specifying any conditions where necessary) or</li> <li>• a <i>Notice of intent to refuse registration</i>.</li> </ul>
4	<p>Where the applicant receives a <i>Notice of registration</i>:</p> <ul style="list-style-type: none"> <li>• this means that registration has been granted</li> <li>• the successful applicant can commence the delivery of services.</li> </ul> <p>The successful applicant's details will be added to the <i>Register of disability service providers</i> and/or <i>Register of community services</i>.</p>
5	<p>Where the applicant receives a <i>Notice of intent to refuse registration</i>:</p> <ul style="list-style-type: none"> <li>• The applicant can within 14 days of the date of the notice provide additional information to the department to support the initial application. The department may, in its absolute discretion, provide an extension of this time.</li> <li>• Where this is not received, the department will make the decision based on the information it has, and most likely issue a <i>Notice of refusal of registration</i>.</li> <li>• Where further information is received, this will be considered before the decision is made.</li> </ul> <p>Where a <i>Notice of refusal of registration</i> is issued, the details of the applicant will not be entered on the register/s.</p> <p>The applicant may appeal to the department and (as required) a further appeal to VCAT. Refer to <i>Procedure 3 - Reviewing and appealing a decision to refuse or revoke registration</i>.</p>

## Procedure 2: Renewal of registration

### Who should use this procedure

An application for renewal of registration will only be relevant for entities that are:

- already registered and
- intending to continue the delivery of in-scope activities.

### Steps for renewing registration

Renewal of registration will involve the following steps:

Step	Action
1	<p>Entities that wish wishing to renew their registration must apply for renewal of registration within 60 days of confirmation in writing, from their independent review body, of their compliance with the standards.</p> <p>For entities audited against the <i>Standards for disability services in Victoria</i> or externally reviewed against the <i>Registration standards for community service organisations</i> prior to 30 June 2012, the requirement to apply for renewal of registration within 60 days of compliance with the standards may not apply depending on the date compliance was achieved. Irrespective of this, these entities will still be required to apply for renewal of registration prior to its expiry, and following demonstration of compliance with the standards.</p>
2	<p>Applicants must complete an application by way of the <i>Approved form</i>, ensuring that all details on the application are included and supporting evidence is attached.</p> <p>An application for renewal should be received by the department not less than 60 business days prior to the expiry of registration. Entities that deliver both disability <u>and</u> community services should apply for renewal of registration as a DSP <u>and</u> community service by lodging the one approved form, not less than 60 business days prior to the expiry of their registration as a DSP or community service (whichever comes first).</p>
3	Send the completed application to the Director, Business Relationship Management Branch, Corporate Services.
4	<p>Await written response from the Standards and Regulation Unit as to the outcome of the application for renewal. This will be either:</p> <ul style="list-style-type: none"> <li>• a <i>Notice of renewal of registration</i> (specifying any conditions where necessary), or</li> <li>• a <i>Notice of intent to refuse renewal of registration</i>.</li> </ul>
5	Where the applicant receives a <i>Notice of registration</i> , the applicant may continue to provide services as per the terms of the renewal.
6	<p>Where the applicant receives a <i>Notice of intent to refuse registration</i>:</p> <ul style="list-style-type: none"> <li>• The applicant can within 14 days of the notice, provide additional information to support the initial application. The department may, in its absolute discretion, provide an extension of this time.</li> <li>• Where this is not received, the department will make the decision based on the information it has, and most likely issue a <i>Notice of refusal of registration</i>.</li> <li>• Where further information is received, this will be considered before the decision is made.</li> <li>• The applicant may lodge an appeal with the department and (as required) a further appeal to VCAT. Refer to <i>Procedure 3 - Reviewing and appealing a decision to refuse or revoke registration</i>.</li> </ul>

## Procedure 3:     Reviewing and appealing a decision to refuse or revoke registration

### Steps for appealing a decision

Where an applicant receives a notice of intention to refuse or revoke registration, the following steps may be undertaken:

Step	Action
1	<p>If the applicant receives a notice from the department which contains a notification of intent to refuse or revoke registration, the applicant may, within 14 days of receiving this notice, submit further information as evidence of eligibility for registration. The department may, in its absolute discretion, provide an extension of this time.</p> <p>This submission can be in any commonly accepted written form from an authorised person that may be kept as an official record (e.g. letter or email). Submissions may be made to the Director, Business Relationship Management Branch, Corporate Services.</p>
2	<p>If a submission is made, the applicant should await written advice from the department as to the outcome of the submission. The applicant will receive:</p> <ul style="list-style-type: none"> <li>• a <i>Notice of registration/renewal</i> or</li> <li>• a <i>Notice of refusal of registration/renewal</i> or</li> <li>• a <i>Notice of revocation of registration</i>.</li> </ul> <p>If no submission is made within the 14 day period, the department will make a decision based on the information available to it, which will most likely be the original proposed decision.</p>
3	<p>If the applicant receives a notice to refuse registration or revoke registration, the applicant may, within 28 days of receiving this notice, appeal the decision in writing to the Secretary, Department of Human Services.</p> <p>Where the decision to refuse or revoke registration is not overturned by the department, within 28 days of this decision or the day the entity receives a statement of reasons for the decision or is informed that a statement of reasons will not be given, an applicant may apply to the Victorian Civil and Administrative Tribunal (VCAT) for review of a decision of the Secretary to refuse registration or revoke registration. The applicant should contact VCAT for further information on this process.</p>
4	<p>Should the department or VCAT uphold the applicant's appeal and registration is granted as a result, the entity's details will be added to / retained on the <i>Register of disability service providers</i> and/or the <i>Register of community services</i>.</p>
5	<p>Should the department or VCAT reject the applicant's appeal, the decision to refuse registration or renewal of registration will be confirmed, and the entity's details will be removed from the register/s. Funding from the department will cease accordingly.</p>
6	<p>Where registration has been revoked or not reviewed, regardless of whether an appeal is lodged, the entity may re-apply for registration. Such application is unlikely to succeed unless the original reasons for refusal/revocation have been addressed and evidence is submitted to satisfy the criteria for registration.</p>

## Procedure 4: Changes to details on the register/s

### **Steps for informing the department of changes to information on the register/s**

Registered entities are required to advise the Director, Business Relationship Management Branch, Corporate Services, in writing within 14 days, of any changes to their details, as recorded on the register/s.

This can be done either by completion of the *Approved form* or by providing notice in any commonly accepted written form from an authorised person that can be kept as an official record (e.g. letter or email).

### **Steps for informing the department of removal of information from the register/s**

Registered entities are required to advise the Director, Business Relationship Management Branch, Corporate Services, in writing within 14 days, of any request to remove their information as recorded on the register/s.

This can be done either by completion of the *Approved form* or by providing notice in any commonly accepted written form from an authorised person that can be kept as an official record (e.g. letter or email).

## Approved forms for the registration of disability service providers and community services

July 2012

## Application for registration as a disability service provider and/or community service

### Information for applicants:

This form and the *Policy for the registration of disability service providers and community services* may be accessed from the Department of Human Services' website.

There are no fees for application for registration as a DSP or community service.

For applicants seeking to register as a DSP, a single application for registration is required, even where the applicant provides multiple types of disability programs.

For applicants seeking to register as a community service, a single application for registration is required, even where the applicant provides both out-of-home care and community-based child and family services.

Applicants that deliver both disability and community services must apply for registration as a DSP and a community service, however only one application form is required.

This form has four parts. All questions must be answered unless otherwise advised by the department. If more space is required, attach separate sheets which have been signed.

Applicants must provide sufficient evidence to meet the registration criteria to the department's satisfaction.

The signature of the person making the application must be recorded and witnessed where indicated on the form.

Address and deliver the completed form to the Director, Business Relationship Management Branch, Corporate Services Division, Department of Human Services, Level 7, 50 Lonsdale Street, Melbourne, VIC, 3000.

## PART 1: Applicant details

### 1.1 The applicant

Insert the full name of the person making application		
Insert the full name of the entity		
Insert the registered or street address of the entity		
Insert the mailing address of the entity		
For natural persons, insert the residential street address		
For natural persons, insert the postal address <sup>1</sup>		
Insert contact details of the entity	Telephone number	
	Email address	
	Officer in Charge - Name	
	Officer in Charge - Title	

## PART 2: Applicant status

### 2.1 Category of registration

Indicate the category to be registered by ticking the appropriate box. All relevant categories must be selected.

Category of registration	Disability service provider (under the Disability Act 2006)	
	Out-of-home care (Category A under the Children, Youth and Families Act 2005)	
	Community-based child and family services (Category B under the Children, Youth and Families Act)	

<sup>1</sup> The postal address of Natural Persons will be included on the register/s and not their private address.

## 2.2 Previous category of registration

Has the entity been registered previously? Indicate any previous category or categories of registration held by ticking the appropriate box and provide the year or years the registration lapsed.

		Select category	Year(s) registration lapsed
Indicate previous category of registration and year/s	Disability service provider (under the Disability Act 2006)		
	Out-of-home care (Category A under the Children, Youth and Families Act 2005)		
	Community-based child and family services (Category B under the Children, Youth and Families Act)		
	No previous registration		

## 2.3 Entity type

Indicate the legal status of the entity to be registered by ticking the appropriate box:

Indicate the legal status of the entity to be registered	Entity under the <i>Associations Incorporation Act 1981</i>	
	Entity under the <i>Co-operatives Act 1996</i>	
	Entity under the <i>Corporations Act 2001</i>	
	Statutory body	
	Local government entity	
	Trust	
	Entity under the <i>Health Services Act 1988</i>	
	Entity under an individual Act of Parliament (please specify)	
	Natural person	
	Other (Please describe)	

## Please complete either section 2.4 or section 2.5:

### 2.4 Entity status - corporate<sup>1</sup>

If the applicant is a corporate or legal entity, please attach a copy of the relevant corporate registration documentation. Indicate the nature of documentation attached by ticking the appropriate box:

Certificate of registration	
<i>Certificate of registration as a legal entity e.g. company or incorporated association</i>	
Memorandum of association	
<i>Memorandum of association or Constitution sets out the objectives of the company/association and what the company/association is permitted to do. It will also set out the share structure, legal status (e.g. limited liability), etc.</i>	
Other (please describe)	

<sup>1</sup>Complete either 2.4 or 2.5, according to the applicant's status



## 2.5 Entity status – natural person

If the applicant is a natural person, attach proof of the person's identity, certified by an authorised person. Natural persons may only register as disability service providers under the Disability Act, not as community services.

A person prescribed by the (Commonwealth) *Statutory Declarations Act 1959*<sup>2</sup> to witness statutory declarations can certify documents for this purpose.

Indicate the nature of the proof attached:

Birth certificate (copy)	
Passport (copy of pages identifying the holder)	
Drivers' licence (Australian; current; with photograph)	
Other (please describe)	

## 2.6 Which Department of Human Services region/s does your organisation propose to deliver in-scope activities?

Indicate the proposed region/s for delivery of in-scope activities	Region	Out-of-home care Services	Family services	Disability services	Activity number/s
	Barwon South-West				
	Gippsland				
	Grampians				
	Hume				
	Loddon Mallee				
	Southern Metropolitan				
	Eastern Metropolitan				
	North-West Metropolitan				
	Statewide				

<sup>2</sup> *Statutory Declarations Regulations 1993*, available through the Commonwealth Attorney-General's Department website <http://www.ag.gov.au/Statutorydeclarations/Pages/default.aspx>

**2.7 Will any of these in-scope activities be delivered directly by a different business name/s?**

☐ Yes (see below)

☐ No

If yes, list the names and contact details of each business name and the activities to be delivered by each business name by region	
---	--

**2.8 Will any of these in-scope activities be delivered directly by a sub-contracted agency?**

☐ Yes (see below)

☐ No

If yes, list the names and contact details of each sub-contracted agency and the activities to be delivered by each sub-contracted agency by region	
---	--

**2.9 Please provide information about other services the organisation delivers.**

State/describe other services delivered	
---	--

**2.10 Please provide any previous record of service provision in the human services field.**

State/describe previous record of service provision in the human services field	
---	--

**2.11 Please provide information about other accreditation/ regulatory/ registration processes the organisation and its business names/sub-contracted agencies undertakes.**

State/describe other accreditation/ registration processes	
--	--

### **PART 3: Applicant capacity**

Entities must demonstrate they are capable of providing services compliant with the relevant Act/s.

The following *Schedule of evidence of capacity* outlines key areas prospective service providers will need to satisfy to demonstrate capacity to provide services in compliance with the relevant Act/s. Additional information and documentation may be required.

Service providers that hold a service agreement with the department

Applicants that hold a service agreement with the department may have already provided some or all of the information sought in the *Schedule of evidence of capacity* (below) and may not be required to submit further evidence. Confirm with the department's Standards and Regulation Unit prior to completion of the form.

<b>Schedule of evidence of capacity</b>
---

Provide evidence of the applicant's capacity, including its business names and/or proposed sub-contracted agencies, to provide the service in compliance with the Act/s where indicated in the schedule and attach documents or other relevant evidence.

#### **3.1 Financial viability**

This section seeks evidence of a general financial structure, financial viability and/or financial capability to provide services for the duration of registration.

Natural persons will need to provide evidence that they are not restricted from providing the services from a financial perspective (e.g. due to bankruptcy or a financial order). This evidence may be provided in a statutory declaration.

Potential evidence may include: a financial statement, budget with information about current/ forthcoming financial year, monthly financial management report

Describe the evidence provided and attach copies of documents	
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### 3.2 Compliance with the standards

Entities must demonstrate that they are capable of providing services in compliance with the standards and provide a copy of their self-assessment.

Date self-assessment was undertaken:	Date achieved compliance with standards:
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### 3.3 Qualifications and credentials

The applicant is required to provide evidence of staff qualifications, experience and suitability to manage and deliver services.

Potential evidence may include:

- course certificates for staff providing services
- qualifications and experience of key staff involved in managing, operating and governing the organisation
- membership of relevant professional associations or industry networks and working partnerships with other organisations
- an agency training plan.

Applicants applying as a natural person must submit evidence to show they have successfully undergone a national police records check and, if applicable, a Working with Children Check. Certified copies by an authorised person must be supplied.

A person prescribed by the (Commonwealth) *Statutory Declarations Act 1959*<sup>3</sup> to witness statutory declarations can certify documents for this purpose.<sup>2</sup>

Describe the evidence provided and attach copies of documents	
---	--

### 3.4 Occupational health and safety

The applicant is required to provide evidence of an occupational health and safety (OH&S) system to ensure a safe environment for the delivery of services.

Potential evidence may include:

- documented OH&S policies and procedures
- any OH&S audits and documentation of corrective actions
- fire safety/evacuation plan
- WorkCover certificate.

<sup>1</sup>Complete either section 2.4 or 2.5 according to the applicant's status

<sup>2</sup>*Statutory Declarations Regulations 1993*, available through the Commonwealth Attorney-General's Department website <http://www.ag.gov.au/Statutorydeclarations/Pages/default.aspx>

Describe the evidence provided and attach copies of documents	
---	--

### 3.5 Risk management

The applicant is required to provide evidence of risk management processes.

Potential evidence must include:

- *Certificate of currency for public liability insurance*
- *Certificate of currency for professional indemnity insurance*
- a risk management plan.

Describe the evidence provided and attach copies of documents	
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### 3.6 Property and infrastructure

The applicant is required to provide confirmation of the suitability of any facilities and related infrastructure necessary for the delivery of services.

Potential evidence may include:

- property lease and description of physical property, buildings and fittings
- specialist equipment or aids and associated licences or operating permits.

Describe the evidence provided and attach copies of documents	
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### 3.7 Referees

The applicant must provide the details of at least two referees who can attest to the expertise and experience, including record of performance, of the entity applying for registration.

#### Referee 1

Organisation name	
Organisation address	
Referee name	
Referee title	
Relationship to applicant	
Telephone number	
Email address	

#### Referee 2

Organisation name	
Organisation address	
Referee name	
Referee title	
Relationship to applicant	
Telephone number	
Email address	

## PART 4: Declarations

### 4.1 Declaration of applicant

In making this application I:

- declare that this information is true and correct
- agree to provide required supporting information to demonstrate capacity to provide services in compliance with the requirements of the relevant Acts
- confirm I am authorised to apply for registration as a disability service provider or community service on behalf of the entity named and
- understand that the name, address and contact details of disability service providers and community services will be made available for public inspection in the *Register of disability service providers* and/or *Register of community services*.

Signature of person making application

Name:

Date:

Signature of witness

Name:

Date:

#### Application to be submitted to:

Director

Business Relationship Management Branch

Corporate Services Division

Department of Human Services

Level 7, 50 Lonsdale Street

Melbourne VIC 3000

## **Application for renewal of registration as a disability service provider and/or community service**

### Information for applicants:

This form and the *Policy for the renewal of registration as a disability service provider or community service* may be accessed from the Department of Human Services' website.

There are no fees for application for renewal of registration as a DSP or community service.

For applicants seeking to renew their registration as a DSP, a single application for renewal of registration is required, even where the applicant provides multiple types of disability programs.

For applicants seeking to renew their registration as a community service, a single application for renewal of registration is required, even where the applicant provides both out-of-home care and community-based child and family services.

Entities that deliver both disability and community services should apply for renewal of registration as a DSP and community service by lodging the one approved form, not less than 60 business days prior to the expiry of their registration as a DSP or community service (whichever comes first).

This form has four parts. All questions must be answered unless otherwise advised by the department.

Applicants must provide sufficient evidence to meet the registration criteria to the department's satisfaction.

The signature of the person making the application must be recorded and witnessed where indicated on the form.

Address and deliver the completed form to the Director, Business Relationship Management Branch, Corporate Services Division, Department of Human Services, Level 7, 50 Lonsdale Street, Melbourne, VIC, 3000.



## PART 1: Applicant details

### 1.1 The applicant

Insert the full name of the person making the application		
Insert the full name of the entity seeking renewal of registration		
Insert the full registered or street address of the entity		
Insert the mailing address of the entity		
For natural persons, insert the residential street address		
For natural persons, insert the postal address <sup>1</sup>		
Insert the contact details of the entity	Telephone number	
	Email address	
	Officer in Charge - Name	
	Officer in Charge - Title	

## PART 2: Applicant status

### 2.1 Current category of registration

Indicate the current category of registration by ticking the appropriate box. All current categories must be selected.

Indicate the category of registration	Disability service provider (under the Disability Act 2006)	
	Out-of-home care (Category A under the Children, Youth and Families Act 2005)	
	Community-based child and family services (Category B under the Children, Youth and Families Act)	

<sup>1</sup> The postal address of Natural Persons will be included on the registers and not their private address.<sup>1</sup>

**2.2 Are/will any of the in-scope activities be delivered directly by a different business name/s?**

☐ Yes (see below)

☐ No

If yes, list the names and contact details of each business name and the activities delivered (or to be delivered) by each business name by region	
--	--

**2.3 Are/will any of the in-scope activities be delivered directly by a sub-contracted agency?**

☐ Yes (see below)

☐ No

If yes, list the names and contact details of each sub-contracted agency and the activities to be delivered (or to be delivered) by each sub-contracted agency by region	
--	--

**PART 3: Compliance with the standards**

**3.1 Has the entity and its business names and/or sub-contracted agencies undertaken a self-assessment or independent review against the standards during its current period of registration?**

☐ Yes (see below)

☐ No

Name of organisation/business name/sub-contracted agency	Date of self-assessment	Date of independent review	Date achieved compliance with standards

## PART 4: Declarations

### 4.1 Declaration of applicant

In making this application I:

- declare that this information is true and correct
- agree to provide required supporting information to demonstrate capacity to provide services in compliance with the requirements of the Acts
- confirm I am authorised to apply for registration as a disability service provider or community service on behalf of the entity named and
- understand that the name, address and contact details of disability service providers and community services will be made available for public inspection in the *Register of disability service providers* and/or *Register of community services*.

Signature of person making application

Name:

Date:

Signature of witness

Name:

Date:

#### **Application to be submitted to:**

Director

Business Relationship Management Branch

Corporate Services Division

Department of Human Services

Level 7, 50 Lonsdale Street

Melbourne VIC 3000

## Change of information recorded on the *Register of disability service providers* and/or *Register of community services*

I, \_\_\_\_\_  
<Full name of person providing advice>

advise of changes to the details held on the *Register of disability service providers* and/or *Register of community services* (delete as appropriate) for

\_\_\_\_\_  
<Full name of registered disability service provider and/or community service>

of \_\_\_\_\_

\_\_\_\_\_  
<Address of registered disability service provider and/or community service>

### Changed registration details are:

#### Name of registered entity:

\_\_\_\_\_  
<Full name of registered disability service provider and/or community service>

Address:

\_\_\_\_\_  
<Address of registered disability service provider and/or community service>

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**Name of business name:**

\_\_\_\_\_  
<Full name of business name>

Address:

\_\_\_\_\_  
<Address of business name >

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**Name of sub-contracted agency:**

\_\_\_\_\_  
<Full name of sub-contracted agency>

Address:

\_\_\_\_\_  
<Address of sub-contracted agency >

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**Category of registration (for community services only):**

Indicate the category of registration	Out-of Home Care (Category A under the Children, Youth and Families Act)	
	Community-based child and family services (Category B under the Children, Youth and Families Act)	

Signature of person making application: \_\_\_\_\_

Date of application: \_\_\_\_\_

**Application to be submitted to:**

Director  
Business Relationship Management Branch  
Corporate Services Division  
Department of Human Services  
Level 7, 50 Lonsdale Street  
Melbourne VIC 3000

## Removal of information recorded on the *Register of disability service providers* and/or *Register of community services*

I, \_\_\_\_\_  
<Full name of person providing advice>

Request removal from the *Register of disability service providers* and/or *Register of community services* (delete as appropriate) for

\_\_\_\_\_  
<Full name of registered disability service provider and/or community service>

of \_\_\_\_\_

\_\_\_\_\_  
<Address of registered disability service provider and/or community service>

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

### Category of registration (for community services only):

Indicate the category of registration	Out-of Home Care (Category A under the Children, Youth and Families Act)	
	Community-based child and family services (Category B under the Children, Youth and Families Act)	

**And / or**

**Name of sub-contracted agency:**

\_\_\_\_\_  
<Full name of sub-contracted agency>

Address:

\_\_\_\_\_

\_\_\_\_\_ <Address of sub-contracted agency >

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**Category of registration (for community services only):**

Indicate the category of registration	Out-of Home Care (Category A under the Children, Youth and Families Act)	
	Community-based child and family services (Category B under the Children, Youth and Families Act)	

**Please provide your reason/s for requesting removal from the Register/s:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of person making application: \_\_\_\_\_

Date of application: \_\_\_\_\_

**Application to be submitted to:**

Director  
Business Relationship Management Branch  
Corporate Services Division  
Department of Human Services  
Level 7, 50 Lonsdale Street  
Melbourne VIC 3000

## **Appendix 1: Disability Act 2006 - Sections 40-48: Registration of disability service providers**

### **40      \*\*Application for registration as a disability service provider**

- 1      A person may apply to the Secretary for registration of the person as a disability service provider.
- 2      A person may apply to the Secretary on behalf of an unincorporated body for registration of the unincorporated body as a disability service provider.
- 3      The Secretary may require a person or an unincorporated body who has applied for funding under this Act to apply for registration as a disability service provider before any funds are provided.
- 4      An application for registration as a disability service provider must be in the form approved by the Secretary.

### **41      Registration**

- 1      The Secretary may register a person or an unincorporated body as a disability service provider if the Secretary is satisfied that:
  - a      the person or unincorporated body can provide a service for persons with a disability; and
  - b      the service can be provided in compliance with the requirements of this Act.
- 2      The Secretary may impose any conditions or restrictions that the Secretary considers appropriate on the registration of a disability service provider.
- 3      Without limiting the generality of sub-section (2), the Secretary may impose conditions with respect to staffing arrangements and the appointment, numbers and qualifications of persons to be employed or engaged by the disability service provider in the provision of disability services.
- 4      Unless revoked, the registration of a disability service provider has effect for a period of 3 years or a longer period as determined by the Secretary in each case.

### **42      Renewal of registration**

- 1      A registered disability service provider may apply to the Secretary for renewal of registration as a disability service provider.
- 2      An application for renewal of registration as a disability service provider must be in the form approved by the Secretary.
- 3      Unless revoked, the renewal of registration of a disability service provider has effect for a period of 3 years or a longer period as determined by the Secretary in each case.

### **43      Revocation of registration**

- 1      The Secretary may revoke the registration of a disability service provider if the Secretary considers it appropriate to do so.
- 2      For the purposes of sub-section (1), the Secretary may have regard to the following -
  - a      the Secretary has ceased providing funding to the disability service provider;
  - b      the Secretary has terminated a contract with the disability service provider for the provision of disability services;
  - c      the disability service provider has failed to comply with requirements under this Act;
  - d      any other circumstances that the Secretary considers relevant.
- 3      The Secretary must revoke the registration of a disability service provider if the disability service provider has ceased to provide disability services.



## **Appendix 1: Disability Act 2006 - Sections 40-48: Registration of disability service providers cont.**

### **44 Notice before refusal or revocation**

- 1 The Secretary must not refuse an application under section 40 unless the Secretary has given a notice in writing to the person making the application in accordance with sub-section (3) and has considered any submission made by the person.
- 2 The Secretary must not refuse an application under section 42 or revoke the registration of a disability service provider under section 43(1) unless the Secretary has given a notice in writing to the disability service provider in accordance with sub-section (3) and has considered any submission made by the disability service provider.
- 3 The notice must specify -
  - a the proposed decision and the reasons for the proposed decision;
  - b that the person or the disability service provider may make a submission in writing within 14 days of the notice being given.

### **45 Application for Review**

- 1 A person or a disability service provider may apply to VCAT for a review of a decision by the Secretary -
  - a to refuse an application under section 40; or
  - b to refuse an application under section 42; or
  - c to revoke the registration of a disability service provider under section 43(1).
- 2 An application for review must be made within 28 days after the later of -
  - a the day on which the decision is made; or
  - b if, under the Victorian Civil and Administrative Tribunal Act 1998, the person or the disability service provider requests a statement of reasons for the decision, the day on which the statement of reasons is given to the person or the disability service provider or the person or the disability service provider is informed under section 46(5) of that Act that a statement of reasons will not be given.

### **46 Register of disability service providers**

- 1 The Secretary must keep a register of disability service providers.
- 2 The Secretary must make available for public inspection a list of disability service providers.
- 3 The Secretary must include the following information in the register of disability service providers in respect of each disability service provider -
  - a the name of the disability service provider;
  - b the address of the disability service provider;
  - c contact information for the disability service provider.
- 4 The Secretary is not required to include the details of any natural person in the register of disability service providers.

### **47 Disability service provider to notify changes**

A disability service provider must notify the Secretary in writing within 14 days if there is a change to the information recorded in the register of disability service providers in respect of that disability service provider.

### **48 Certain persons or bodies deemed or may be deemed to be registered as disability service providers**

- 1 A person or body receiving funds for the provision of a disability service under the Intellectually Disabled Persons' Services Act 1986 or the Disability Services Act 1991 immediately before the commencement of section 222 is deemed to be registered as a disability service provider under this Act.
- 2 Unless revoked in accordance with section 43, a registration by virtue of sub-section (1) continues in effect until the agreement under which the funds are provided ends or is terminated.
- 3 The Secretary may deem a person or body to be registered as a disability service provider under this Act if the person or body -
  - a is a community service within the meaning of section 3(1) of the Children, Youth and Families Act 2005; and
  - b provides a service specifically for the support of persons with a disability who are children

## **Appendix 2: Children, Youth and Families Act 2005 - Sections 45-57: Registration of community services**

- 45. Application for registration**  
(1) A body corporate may apply to the Secretary for registration of the body as a community service.  
(2) An application must be in a form approved by the Secretary.
- 46. Registration**  
(1) The Secretary may register a body as a community service if the Secretary is satisfied that the body-  
(a) is established to provide services to meet the needs of children requiring care, support, protection or accommodation and of families requiring support; and  
(b) will be able to meet the performance standards applicable to community services of that kind.  
(2) A body may be registered in one or more of the categories of registration set out in section 47.
- 47. Categories of registration**  
The categories of registration are-  
(a) out of home care service;  
(b) community-based child and family service;  
(c) a prescribed category of service.
- 48. Conditions on registration**  
The Secretary may impose any conditions or restrictions that the Secretary considers appropriate on the registration of a community service under this Division.
- 49. Period of registration**  
Subject to this Division, registration has effect for a period of 3 years.
- 50. Renewal of registration**  
(1) A registered community service may apply to the Secretary for renewal of registration as a community service.  
(2) An application for renewal must be in a form approved by the Secretary.  
(3) A renewal of registration has effect for 3 years.
- 51. Revocation of registration**  
The Secretary may revoke the registration of a body as a community service if the Secretary considers it appropriate to do so as a result of-  
(a) a report from an authorised assessor under Division 5; or  
(b) an inquiry under Division 5; or  
(c) a recommendation of an administrator under Division 6.
- 52. Notice to community service**  
The Secretary must give a registered community service at least 14 days notice and the opportunity to make submissions before-  
(a) refusing an application by the community service for a renewal of registration; or  
(b) revoking the registration of the community service.
- 53. Application for review**  
(1) A body may apply to VCAT for review of a decision by the Secretary-  
(a) to refuse to register the body as a community service; or  
(b) to refuse to renew the registration of the body as a community service; or  
(c) to revoke the registration of the body as a community service.  
(2) An application for review must be made within 28 days after the later of-  
(a) the day on which the decision is made;  
(b) if, under the Victorian Civil and Administrative Tribunal Act 1998, the person requests a statement of reasons for the decision, the day on which the statement of reasons is given to the person or the person is informed under section 46(5) of that Act that a statement of reasons will not be given.

## **Appendix 2: *Children, Youth and Families Act 2005* - Sections 45-57: Registration of community services cont.**

- 54. Register of community services**  
The Secretary must keep a register of community services.
- 55. What information is to be included in the register?**  
The Secretary must include the following information in the register of community services in respect of each body that is registered under this Division-
- (a) the name of the body;
  - (b) the address of the body;
  - (c) contact information for the body;
  - (d) the category of registration of the body;
  - (e) any other information that is prescribed.
- 56. Registered community service to notify changes**  
A registered community service must notify the Secretary in writing within 14 days if there is any change to the information recorded in the register of community services in respect of that registered community service.
- 57. Register to be made public**  
The Secretary must make a copy of the register of community services available for inspection on the Department's Internet site.

## Further information and support

### Contact

Should there be any questions regarding this documentation, please contact:

Standards & Regulation Unit  
Business Relationship Management Branch  
Corporate Services Division  
Department of Human Services  
Level 7, 50 Lonsdale Street, Melbourne, Vic, 3000

Tel: 03 9096 5292

Email: [dhsstandards.vic.gov.au](mailto:dhsstandards.vic.gov.au)