

VICTORIAN QUALITY AND SAFEGUARDS WORKING ARRANGEMENTS FOR TRANSITION

**Agreed between the Victorian Government,
Commonwealth Government and the National
Disability Insurance Agency**

June 2016

Quality and Safeguards Working Arrangements between the National Disability Insurance Agency, the Australian Government, and the Victorian Government for Transition

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Key terms

NDIS registration	<p>Refers to registration as a provider of supports under Part 3 of the <i>National Disability Insurance Scheme Act 2013</i>. Application can be made to be a 'registered provider of supports' in relation to either or both of the following:</p> <ul style="list-style-type: none">a) managing the funding for supports under plans;b) the provision of supports. <p>Applications to be a registered provider of supports should be made to the National Disability Insurance Agency (NDIA).</p>
Registration under the Disability Act	<p>Refers to registration with the Victorian Department of Health and Human Services as a Disability Service Provider under the Disability Act 2006. The definition of a Disability Service is a service specifically for the support of persons with a disability provided by a Disability Service Provider.</p>
Victorian approved NDIS provider	<p>Refers to providers that have met Victoria's requirements for the purposes of NDIS registration to deliver NDIS funded supports in scope of these arrangements</p>
Commonwealth approved NDIS provider	<p>Refers to providers who have met the Commonwealth Government's requirements for the purpose of NDIS registration to deliver NDIS funded supports.</p>
Approved NDIS employment supports provider	<p>Refers to new providers offering supported employment supports who have been certified by an accredited Certification Body against the National Standards for Disability Services.</p>
National Standards for Disability Services	<p>These standards are seen as a transitional reform enabling nationally consistent quality standards to apply for the disability services sector. The National Standards were first produced in 1993. They were revised in 2012 to reflect current language, philosophies and service models, particularly the move towards individualised supports and person-centred service delivery.</p>

1 ABOUT THE WORKING ARRANGEMENTS

This document is appended to, and is to be read in conjunction with Schedule F of the Bilateral Agreement for Transition to the NDIS between the Commonwealth and Victorian Governments.

1.1 Context

Abuse of people with a disability is abhorrent and will not be tolerated.

All governments have agreed that quality and safeguards are important to effectively support the phasing of large numbers of participants into the National Disability Insurance Scheme (NDIS), including vulnerable and high-needs cohorts. NDIS participants in Victoria and the community need to be confident that NDIS registered providers are capable of delivering services that are high quality and safe. These Working Arrangements provide a foundation for strong, robust quality and safeguards during transition to the NDIS.

Victoria is currently reviewing some of its quality and safeguarding arrangements to maximise rights and protections for people with a disability. As a result, some existing policies and legislative arrangements referred to in this document may change during transition. Requirements for providers will be listed in the National Disability Insurance Agency's (NDIA) Guide to Suitability (also appended to this document). The Guide to Suitability will be regularly reviewed and updated by the Victorian Government as required to ensure no diminution of outcomes for people with disability in Victoria during transition to the NDIS.

National Framework for Quality and Safeguards

All governments and the NDIA are working together on the design of a nationally consistent quality and safeguarding framework to be agreed by the Disability Reform Council by mid-2016.

The NDIS quality and safeguarding framework will be consistent with the principles agreed by the Disability Reform Council as set out in the Consultation paper released on 17 February 2015.

Existing Victorian and Commonwealth quality and safeguarding arrangements will apply until the new framework, including agreed roles and responsibilities, is implemented.

These Working Arrangements will be reviewed and updated where required to reflect the outcomes of Ministers' decisions and incorporating consequent implementation arrangements.

1.2 Purpose

This document sets out the agreed roles and responsibilities of the Victorian and Commonwealth Governments and the NDIA in maintaining quality disability supports and strong safeguards for participants in Victoria during the transition to the NDIS.

These arrangements will be supported by the development of implementation protocols between Victorian and Commonwealth Governments, statutory bodies and the NDIA. Protocols will be developed or updated as required and be in place by 1 July 2016.

These arrangements will be in place during the transition to the full implementation of the NDIS from 1 July 2016 to 30 June 2019, subject to Ministers' decisions to implement components of the full-scheme quality and safeguards framework earlier.

1.3 Principles

Quality and safeguarding arrangements during transition will reaffirm the rights of persons with a disability, be risk-based and support choice and control to achieve the best possible outcomes for people with a disability.

The Bi-lateral Agreement for Transition to the NDIS between the Commonwealth and Victorian Governments establishes that:

- existing quality standards will be continued and strong safeguards will be maintained in Victoria during transition;
- existing Victorian and Commonwealth quality systems will continue to operate for providers seeking to register with the NDIA to offer supports funded by the NDIS and existing safeguarding arrangements for participants.

1.4 Scope

The working arrangements set out:

- The requirements and process for NDIS registration of certain providers of support
- Victoria's quality and safeguards arrangements in transition
- The Commonwealth's quality and safeguards arrangements in transition
- The approach to ongoing monitoring of providers in-scope of these arrangements
- The approach to managing complaints about the NDIS during transition

1.4.1 Requirements for providers

Registered NDIS providers operating in Victoria during transition to the NDIS must comply with the NDIA's Terms of Business for Registered Providers which includes mandatory compliance with relevant Commonwealth and Victorian quality and safeguards arrangements as set out in this document and the NDIA's Guide to Suitability (Appendix 3).

1.5 Governance

The parties to these arrangements agree to work together to implement the working arrangements and to resolve issues in transition.

The Victorian NDIS Bilateral Steering Committee will oversee the implementation of these working arrangements, along with the following governance groups:

Victorian Executive Steering Committee- comprising Senior Executive representation from the Victorian Government, NDIA and Commonwealth Government. The Committee is convened by the Department of Health and Human Services (DHHS) and meets quarterly or as otherwise required.

Victorian Transition Steering Group - comprising representation from the Victorian Government and the NDIA. The Group is convened by the NDIA and meets fortnightly.

Victorian Regional Operational Steering Groups – comprising representation from relevant regional / Divisional Directors in the Victorian Government and National Office Directors in the NDIA. The Groups are convened by DHHS and meet monthly.

The Victorian Government Quality and Safeguards Transition Working Group - comprising representation at officer level from the Victorian Government and the NDIA as required. The Group will liaise informally providing policy guidance and support to Regional Operational Steering Groups and the Transition Steering Group to assist with resolving issues arising from implementation of these arrangements. The group will meet on a monthly basis.

Issue and dispute resolution

Issues or disputes in relation to the operation of the working arrangements that are not resolved by the Regional Operational Steering Groups will be escalated to the Transition Steering Group.

Issues or disputes in relation to the operation of the working arrangements that are not resolved by the Transition Steering Group will be escalated to the Executive Steering Committee or Bilateral Steering Committee as required.

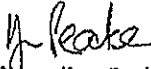
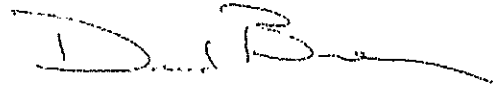

Information sharing – Operational matters

The NDIA, Victorian Government, and the Commonwealth will exchange information on provider registration, complaints or any other matters as identified in these working arrangements via the contacts set out in a communication protocol between the parties to this agreement. Urgent matters will be notified by both email and phone.

Review

These working arrangements will be reviewed after three months; and annually thereafter. Any signatory to these arrangements may initiate a review at any time.

Signatures

Victorian Government	Signed for and on behalf of  Name Kym Peake Position name Secretary, Department of Health and Human Services Date 17/6/2016
National Disability Insurance Agency (NDIA)	Signed for and on behalf of  Name David Bowen Position name Chief Executive Officer, NDIA Date 21.06.2016
Commonwealth Government	Signed for and on behalf of  Name Helen McDevitt Position name NDIS Group Manager, Department of Social Services Date 21/06/2016

2 OVERVIEW OF VICTORIAN AND COMMONWEALTH QUALITY AND SAFEGUARDS ARRANGEMENTS

The Victorian and Commonwealth Governments implement quality and safeguarding arrangements through a combination of legislation and operational policies with active monitoring of providers at the local area level as required.

The overview of quality and safeguarding arrangements provided in these Working Arrangements are for general guidance only. References to legislative obligations or operational policies are descriptive only and should not be relied upon in place of the actual Acts or policies described. The Working Arrangements do not constitute and must not be relied upon as legal or other professional advice.

2.1 Existing Victorian Government quality and safeguarding arrangements

The *Disability Act 2006 (Vic)* (the Disability Act)

The Disability Act sets out a legislative framework in Victoria for people which affirms the rights and responsibilities of people with a disability and gives effect to a range of quality and safeguards requirements for disability service providers. These include provision of information, duties for providers of residential services, complaints handling, oversight and regulation of restrictive practices and compliance with quality standards prescribed by the Minister.

Service providers may be registered under the Disability Act if the Secretary of DHHS is satisfied that services can be provided in compliance with the Act. Service providers registering under the Disability Act are expected to carry out a self-assessment against standards set by the Minister (the Human Services Standards, gazetted as Department of Health and Human Services Standards) to demonstrate their capacity to meet the appropriate standard of service quality and level of safeguards expected. An independent review to verify their capacity and suitability to deliver services is also required, usually within 12 months of registration. If the provider fails to complete the review or fails accreditation against the Human Services Standards, DHHS will revoke the provider's registration.

Psychosocial disability does not fall within the definition of disability in the Disability Act, and the provision of psychosocial support and rehabilitation to people with psychosocial disability is not considered to meet the definition of a disability service for the purposes of the Disability Act.

The *Mental Health Act 2014 (Vic)*(the Mental Health Act)

Obligations on mental health service providers under the Mental Health Act include a requirement to have regard to principles in the Act, to establish procedures for managing and resolving complaints and report to the Mental Health Complaints Commission on the number and outcomes of complaints received.

The Act also imposes obligations in regards to reportable deaths and provides certain powers of investigation and direction to the Secretary (DHHS), Chief Psychiatrist, Community Visitors, and Mental Health Complaints Commissioner in relation to mental health service providers.

Victorian statutory oversight bodies

Victorian statutory oversight bodies with responsibilities in relation to quality and safeguards include the:

- Disability Services Commissioner (provides both an independent and accessible process for dealing with complaints regarding the provision of services by disability service providers)
- Mental Health Complaints Commissioner
- Chief Psychiatrist
- Senior Practitioner - disability (involved in the regulation and oversight of restrictive practices)
- Public Advocate (has a role in relation to restrictive interventions and auspices Community Visitors)
- Community visitors (in disability residential services and prescribed premises as defined in the Mental Health Act)
- Health Services Commission
- Human Rights Commissioner

Other legislative requirements and operational policies

Other legislative requirements and operational policies apply to providers funded by the Victorian Government. This includes critical incident management and reporting, employee safety screening, fire risk management and responding to allegations of abuse. The application of these measures varies depending on the type of service. Compliance with policies and standards has been implemented through service agreements including performance monitoring, quality improvement processes and compliance and monitoring by Victorian Government departmental regional program advisors.

2.2 Existing Commonwealth Government quality and safeguarding arrangements

The Commonwealth Government currently manages service provider quality and safeguards through programme guidelines and legally enforceable funding agreements actively managed by departmental contract managers. The detail of the quality and safeguard requirements in funding agreements may vary based on a risk assessment of the services but generally includes requirements to ensure services:

- engage appropriately qualified staff to deliver the agreed services including meeting relevant Commonwealth arrangements and policies relating to vulnerable persons, police check;
- are delivered in accordance with the National Standards for Disability Services;
- meet relevant national standards and accreditation requirements;
- operate in line with the requirements as set out within all state and territory and Commonwealth legislation and regulations;
- apply the highest standards of duty of care;
- ensuring service provision is effective, efficient, and appropriately targeted;
- ensure Indigenous Australians have equal and equitable access to services;
- have appropriate internal complaints mechanisms in place;
- maintain adequate insurance;
- report performance against identified performance indicators;

- notify the Commonwealth of anything reasonably likely to affect the performance of the activity or otherwise required under the funding agreement;
- provide necessary verification that the Grant was spent in accordance with the purpose for which funding was provided.

Clients and service providers also have recourse to the Department of Social Services complaints handling process.

Specific existing Commonwealth Government quality and safeguarding arrangements include:

- The *Disability Services Act 1986 (Cwlth)* (the DSA)
- Disability employment assistance (run by Australian Disability Enterprises) is currently governed by the DSA.

The objects of the DSA are; in part:

- to assist persons with disabilities to receive services necessary to enable them to work towards full participation as members of the community;
- to promote services provided to persons with disabilities that:
 - (i) assist persons with disabilities to integrate in the community, and complement services available generally to persons in the community;
 - (ii) assist persons with disabilities to achieve positive outcomes, such as increased independence, employment opportunities and integration in the community; and
 - (iii) are provided in ways that promote in the community a positive image of persons with disabilities and enhance their self-esteem;
- to ensure that the outcomes achieved by persons with disabilities by the provision of services for them are taken into account in the granting of financial assistance for the provision of such services;
- to encourage innovation in the provision of services for persons with disabilities; and
- to assist in achieving positive outcomes, such as increased independence, employment opportunities and integration in the community, for persons with disabilities who are of working age by the provision of comprehensive rehabilitation services.

2.3 Quality and safeguards requirements for Victorian and Commonwealth NDIS providers during transition

Victorian and Commonwealth Government quality and safeguarding requirements will continue to operate during transition.

However, **Victorian and Commonwealth Governments will not generally directly fund or hold service agreements with NDIS providers.** As such, the quality and safeguarding requirements of relevant legislation and operational policies will be implemented through:

- the NDIS registration process for providers wishing to deliver supports 'in-scope' of Victorian or Commonwealth quality and safeguarding requirements, (see section 3)

- ongoing monitoring of providers by the Victorian and Commonwealth Governments (see section 4).

Note: For more information about the term ‘Victorian Approved NDIS Provider’ see the Key Terms section and also Part 4 of the Working Arrangements, where the process for providers to achieve that status is also made clear.

For more information about the term ‘Commonwealth Approved NDIS Provider’ see the Key terms section and also Part 5 of the Working Arrangements, where the process for providers to achieve that status is made clear.

2.3.1 Streamlined process for existing providers

There will be different quality and safeguards requirements for **existing** providers (ie: providers that hold a current funding and service agreement with either the Victorian or Commonwealth Government for services transitioning to the NDIS) and **new** providers. Existing providers will have a streamlined process for approval as a NDIS registered provider. This means they will be taken to have already achieved Victorian or Commonwealth Approved NDIS Provider status and not have to undergo an additional review process in order to register with the NDIS. The process for ongoing monitoring of NDIS providers will generally be the same for both existing and new providers.

2.3.2 School Students in the NDIS

Quality and safeguarding arrangements for school students who are also NDIS participants will be covered by the Victorian Department of Education and Training School Standards and the *Education and Training Reform Act 2006*. For example, the principal must be satisfied that criminal records checks and Working With Children checks are undertaken by all NDIS funded personal carers and therapists working with students on school grounds, and that the proposed support takes place in a location that is in the line of sight of a teacher.

Note: Not all NDIS funded services and supports will be subject to Victorian and/or Commonwealth Government quality and safeguards arrangements.

The Victorian Government has no role in implementing quality and safeguards or monitoring providers delivering NDIS funded services and supports that are out of scope of these arrangements.

The Victorian Government will continue its current role in providing general consumer protections and services that are available to the wider community.

Appendix 1 of this document lists the NDIS funded services and support groups that are ‘in scope’ for the Victorian Government’s quality and safeguards arrangements.

2.3.3 The plan management decision and risk assessment

The NDIA's approach to managing participant risk and vulnerability, and in particular, how this relates to the plan management decision is a key component of quality and safeguarding arrangements in transition. Overall, the NDIA's approach to determining risk and vulnerability with regard to self-managing a package of supports reflects Victorian Government guidelines for individual support packages.

The decisions of planners and participants in relation to the management of plans are guided by legislative provisions which form the basis of NDIA practice guidance, conversation tools and information sheets for participants. It is the responsibility of the NDIA to determine the reasonable and necessary supports in a participant plan, and to ensure that participants who choose to self-manage some or all of the supports in their plan understand the risk implications and their responsibilities and expectations of self-managing NDIS funds.

The NDIA also requires planners to support their rationale for decisions and has review and quality audit arrangements in place to support best practice, ongoing quality assessment of plans and a culture of continuous improvement to benefit participants and enhance scheme performance.

3. NDIS REGISTRATION

3.1 Requirements for NDIS registration

Under the *National Disability Insurance Scheme Act 2013* (the NDIS Act), responsibility for NDIS registration lies with the Chief Executive Officer (CEO) of the NDIA. In order for a service provider to obtain NDIS registration:

- **the CEO (or their delegate) must** decide if the service provider meets the criteria set out in the NDIS Act and Rules, In particular, the CEO has to be satisfied that the supplier has the experience and capacity to deliver the support type/s they are registering to provide;
- **the service provider must** agree to the NDIA's Terms of Business for Registered Providers, which includes the requirement to comply with all applicable Commonwealth, State and Territory laws and any other relevant requirements including relevant quality and safeguard laws and Quality Assurance and Safeguards Working Arrangements. The NDIA's Guide to Suitability lists the qualifications, approvals, and experience and capacity requirements for particular support types. This includes the Victorian and Commonwealth Governments' quality and safeguarding requirements which are listed at Appendix 3 of this document.

For NDIS providers proposing to deliver support falling 'in scope' of Victorian and Commonwealth Government quality and safeguards requirements the following applies:

- a **pre-requisite** for finalising NDIS registration for in-scope supports is obtaining status as a Victorian and/or Commonwealth Government approved NDIS provider or as an Approved NDIS employment support provider;
- **maintaining** NDIS registration is contingent on maintaining status as a Victorian or Commonwealth Government approved NDIS provider or as an Approved NDIS employment support provider, including ongoing compliance with Victorian and/or Commonwealth Government legislative requirements and operational policies that are relevant to the type of support (ie, those listed in the NDIA's Guide to Suitability).

3.2 NDIS registration process for Victorian and Commonwealth approved NDIS providers

The NDIA website is the first port of call for providers wishing to obtain NDIS registration. Applications for NDIS registration must be accompanied by the required information and evidence. The NDIA will encourage prospective providers to familiarise themselves with its Guide to Suitability prior to applying for approval as a NDIS registered provider.

For supports in scope of **Victoria's** quality and safeguards requirements, proof of status as a Victorian approved NDIS provider is required, in the form of a certificate of registration under the Disability Act (where applicable), or other proof of status as a Victorian approved NDIS Provider. New providers must supply this proof to the NDIA in order to complete their NDIS registration for in-scope supports. The Victorian Government will confirm status to the NDIA on behalf of existing providers when notified (by the NDIA) that an existing provider has made an application for NDIS registration.

Appendix 2 sets out the process for obtaining registration with the NDIA, where the service provider is required to be a Victorian approved NDIS provider.

The NDIA will:

- ensure that prospective providers are familiar with the compulsory requirements for becoming a Victorian approved NDIS provider prior to attempting to become a registered provider under the NDIS Act;
- assess the application in accordance with the NDIS Act and rules;
- as part of this assessment, only approve a service provider's NDIS registration in respect of supports in scope of Victoria's requirements if evidence of status as a Victorian approved NDIS provider is supplied;
- notify the Victorian Government where a provider wishes to register with the NDIA to deliver supports in-scope of Victoria's quality and safeguards requirements;
- notify the Victorian Government (via VicGov inbox) when a service provider's NDIS registration is confirmed, attaching the NDIS registration certificate, including a list of the in-scope supports they are registered to provide;
- refer providers to the Victorian Government (via VicGov inbox) if a Victorian approved NDIS provider requests to add new 'in-scope' NDIS support groups to their NDIS registration. This process will not prevent the NDIA from confirming NDIS registration for the support groups that have already been approved by the Victorian Government.

Commonwealth providers contracted to deliver services under existing funding agreements will be recognised by the NDIA for registration purposes. These providers will undertake a streamlined registration process on the proviso that they continue to deliver these services in accordance with quality and safeguards terms outlined in their existing funding agreement with the Commonwealth as specified under the NDIA's Terms of Business for Registered Providers.

Existing Commonwealth providers that intend to expand their service offering beyond the scope of their existing funding agreements will need to apply directly to the NDIA for an expanded NDIS registration to deliver the new services. Expansion of scope will be subject to compliance with the NDIA's Terms of Business for Registered providers and relevant Victorian quality and safeguards arrangements.

3.3 Circumstances triggering revocation of NDIS registration for Victorian approved NDIS providers

The Victorian Government has responsibility for monitoring Victorian approved NDIS providers' ongoing compliance with Victoria's quality and safeguards arrangements. A provider may lose its status as a Victorian approved NDIS provider if the Victorian Government determines that a provider has not maintained compliance with Victoria's quality and safeguarding requirements (this may include revocation of registration under the Disability Act for some providers). A provider that fails to comply with Victoria's quality and safeguards requirements is likely to pose an unreasonable risk to participants, and therefore may lose its status as a Victorian approved NDIS provider.

Loss of Victorian approved NDIS provider status will trigger the NDIA to revoke NDIS registration in accordance with the NDIS Act and the NDIA's Terms of Business for Registered Providers.

Note that the NDIA may revoke an NDIS registration in part, if the provider is registered to provide supports in scope of Victoria's quality and safeguards requirements, along with other NDIS funded supports that are not in scope.

In accordance with the NDIS Act, the NDIA will:

- commence proceedings to issue a 'show cause' notice to a Victorian approved NDIS provider, where the Victorian Government alerts the NDIA of its intention to revoke a provider's Victorian approved NDIS provider status.
- revoke NDIS registration for a Victorian provider of in-scope supports that has had their status as a Victorian approved NDIS provider status withdrawn by the Victorian Government;
- notify the Victorian Government (via VicGov inbox) when a Victorian approved NDIS provider has its NDIS registration inactivated or revoked and advise the reason.

3.4 Circumstances triggering revocation of NDIS registration for Commonwealth approved NDIS providers during transition

Existing Commonwealth providers that fail to deliver services in accordance with the quality and safeguards terms outlined in their existing funding agreement with the Commonwealth will be considered to have breached the NDIA's Terms of Business for Registered Providers. This may trigger the NDIA to revoke their registration. A provider may lose its status as a Commonwealth approved NDIS provider if:

- the Joint Accreditation System of Australia and New Zealand (JAS-ANZ) revokes certification under the DSA (in the case of Australian Disability Enterprises); or
- the Commonwealth revokes funding under the Funding Agreement.

This may provide grounds for the NDIA to revoke the provider's registration.

In accordance with the NDIS Act, the NDIA will:

- commence proceedings to issue a 'show cause' notice to a Commonwealth approved NDIS provider, where they or the Commonwealth becomes aware and agrees that they are not adequately meeting their quality and safeguards requirements.
- notify the Commonwealth Government when a Commonwealth approved NDIS provider has its NDIS registration revoked for any reason.

Note that the NDIA may revoke an NDIS registration in part, if the provider is registered to provide supports across multiple categories of support.

The NDIA and Victorian and Commonwealth governments recognise the importance of open and timely communication about the ongoing compliance of providers. The parties will, in accordance with relevant legislation, maintain a practice of sharing information about providers and enable the most appropriate responses and timely actions to be taken by the parties in the event the deregistration of a provider may be necessary.

3.5 Circumstances triggering revocation of NDIS registration for Approved NDIS employment support providers

The NDIA has responsibility for ensuring that new providers offering employment support have received, or are in the process of gaining certification by an accredited Certification Body against the National Disability Services Standards. A provider may lose its status as an approved NDIS provider if:

- a Certification Body revokes certification against the National Disability Services Standards (in the case of new providers offering employment support).
- In this event the NDIA will revoke NDIS registration. Note that the NDIA may revoke a NDIS registration in part, if the provider is registered to provide supports across multiple categories of support.

In accordance with the NDIS Act, the NDIA will:

- commence proceedings to issue a 'show cause' notice to a Commonwealth approved NDIS provider, when the Commonwealth Government alerts the NDIA of its intention to defund an organisation;
- notify the Commonwealth Government when a Commonwealth funded provider has been deregistered;
- revoke NDIS registration for a new supported employment support service as an NDIS provider when an accredited Certification Body has revoked certification against the National Disability Services Standards;
- notify the new supported employment provider when an accredited Certification Body has revoked certification against the National Disability Services Standards.

4. VICTORIA'S QUALITY AND SAFEGUARDS ARRANGEMENTS IN TRANSITION

This Section sets out the process for achieving status as Victorian approved NDIS provider, and the ongoing monitoring of Victorian approved NDIS providers.

4.1 Steps to achieve status as a Victorian approved NDIS provider

Providers who wish to deliver NDIS funded supports 'in scope' of Victoria's quality and safeguards arrangements will be unable to complete the NDIS registration process until they supply evidence that they have achieved status as a Victorian approved NDIS provider. This can be achieved in one of two ways:

- for new providers delivering supports captured by the Disability Act, providers must obtain registration under that Act; or
- for new providers delivering supports captured by other standards, providers must complete a quality assurance process with a Victorian Government endorsed, independent quality review body.
- for existing providers, see the streamlined process at para 2.3.1.

The cost of independent review will be borne by NDIS providers.

Appendix 1 sets out the supports that are in scope of Victorian quality and safeguards requirements.

Appendix 3 is the Victorian section of the NDIA's Guide to Suitability which lists Victoria's policy and legislative requirements for each type of service in-scope of these arrangements. Note that NDIS providers operating in Victoria are required to comply with Victoria's policies and legislation, but not those of other state jurisdictions.

Appendix 2 sets out the process for obtaining registration with the NDIS, where the service provider is required to be a Victorian approved NDIS provider.

The Victorian Department of Health and Human Services and the Department of Education have endorsed a number of independent review bodies to conduct reviews of NDIS service providers against the required standards for each support type. For further information refer to Appendix 3.

Arrangements for providers contracted directly with the NDIA

Note there are some categories of NDIS providers who will be in scope of Victoria's quality and safeguards requirements (including registration under the Disability Act where appropriate) but will be in a contractual relationship with the NDIA rather than a registered NDIS provider for example Local Area Coordinator (LAC) partners.

These providers will be required to comply with Victoria's quality and safeguards under the terms of their contract with the NDIA. It will be the responsibility of the NDIA to ensure that contracts with these providers appropriately reflect the requirements set out in these working arrangements. The NDIA will:

- advise the Victorian Government of the scope of activities that LAC partners will deliver;
- notify the Victorian Government (via VicGov inbox) if there are any changes to the scope of services being delivered;
- ensure that where approval is granted for a LAC partner to use subcontractors by the NDIA, the subcontractors are also registered under the Disability Act.

4.1.1 Registration under the Disability Act

To achieve registration under the Disability Act, providers are required to apply using the approved form and undertake an initial self-assessment to demonstrate their capacity to comply with the Human Services Standards and requirements of the Disability Act. Information about the process and evidence required is included in the NDIA's Guide to Suitability. Providers registered under the Disability Act are then required to undertake an independent review within twelve months of registration to achieve accreditation against the Standards.

The Victorian Government will:

- assess evidence provided by the service provider to determine whether the service provider is capable of meeting the Human Services Standards and requirements of the Disability Act;
- provide successful service providers with a notice and certificate of registration under the Disability Act for the purposes of NDIS registration;

- provide a Notice to Refuse Registration¹ under the Disability Act to a service provider that has not demonstrated capacity to meet the Standards, and provide information on rights of appeal;
- verify a certificate of registration under the Disability Act for the NDIA on request to confirm that registered supports match NDIS approved supports.

Arrangements for Victorian providers currently registered under the Disability Act

Victorian providers that are currently registered under the Disability Act and have a current Service Agreement with the Department of Health and Human Services will have a streamlined process for the purposes of NDIS registration. This means they will be taken to have already achieved Victorian approved NDIS Provider status and not have to undergo an additional review process in order to obtain approval as a NDIS registered provider.

Where an existing service provider wishes to expand or change the supports the organisation is currently funded to deliver they may be required to undergo a quality assurance process as set out above, in order to demonstrate their capacity to deliver services to expected standards.

These providers will continue to comply with Victorian Government operational policies currently implemented through Service Agreements. These will be implemented through the NDIA's Terms of Business for Registered Providers.

4.1.2 Approval to provide residential services under the Disability Act

There will be no diminution of Victoria's current quality and safeguards for NDIS participants in transition utilising specialist disability accommodation. This reflects Victoria's commitment under the Bilateral agreement to continue existing quality and safeguarding arrangements in transition. As such, NDIS providers of specialist disability housing in Victoria that is a 'residential service' as defined under the Disability Act, are required to register under the Act and comply with a range of operational policies and legislative quality and safeguarding requirements.

Updated registration requirements for NDIS providers of specialist disability accommodation funded by the NDIS will be provided once these are finalised.

4.1.3 Approval under other service delivery standards

Information about which types of supports are not covered by the Disability Act but are still in scope of Victoria's quality and safeguards requirements is provided in Appendix 1 and 3.

New providers of supports not covered by the Disability Act, but still in-scope of Victoria's quality and safeguards requirements, are required to undertake a self-assessment to demonstrate their capacity to comply with the standards appropriate to the support type they wish to deliver.

These providers will undertake a review against appropriate service quality standards with a Victorian Government endorsed independent review body.

The Victorian Department of Health and Human Services and the Department of Education and Training have endorsed a number of independent review bodies to conduct reviews of NDIS service providers against the required standards for each support type. Further information is available in Appendix 3.

¹ Refusal may be in full or in part where the provider is registered for other supports

The Victorian Government will ensure that Victorian Government endorsed, independent review bodies will:

- assess evidence provided against the appropriate service delivery standards;
- notify the Victorian Government via VicGov inbox when a provider achieves the required standard or provide a plan for service improvement;
- subject to Victorian Government approval, provide successful service providers with documentation of approval for the purposes of NDIS registration;
- stipulate the NDIS Support groups for which the provider is approved;
- provide a notice of refusal of approval to service providers that have not demonstrated capacity to meet the standards, and provide information on rights of appeal;
- verify the authenticity of documentation of approval against standards upon request by the NDIA.

Arrangements for Victorian providers currently holding a Service Agreement with the Victorian Government

Providers that have a current Service Agreement with a Victorian Government department for services transitioning to the NDIS will have a streamlined process for the purposes of NDIS registration. This means they will be taken to have already achieved Victorian approved NDIS provider status and not have to undergo an additional review process in order to obtain approval as a NDIS registered provider.

Where an existing service provider wishes to expand or change the supports the organisation is currently funded to deliver they may be required to undergo a quality assurance process as set out above, in order to demonstrate their capacity to deliver services to expected standards.

These providers will continue to comply with Victorian Government operational policies currently implemented through Service Agreements, which will be implemented through the NDIA's Terms of Business for Registered Providers.

4.2 Monitoring of Victorian Approved NDIS providers

The legislative requirements and policies applying to Victorian approved NDIS providers are included in the NDIA's Guide to Suitability (Appendix 3). All Victorian approved NDIS providers are expected to familiarise themselves with policies and guidelines specific to the supports they wish to deliver. The Victorian Government will retain primary responsibility for managing and monitoring ongoing compliance with these requirements. Information on critical incidents and restrictive practices is below.

4.2.1 Ongoing monitoring of Disability Service Providers registered under the Disability Act.

Providers registered under the Disability Act must demonstrate ongoing compliance with the Human Services Standards and other quality and safeguarding requirements by undertaking the first triennial independent review with a Victorian Government-approved independent review body within 12 months of initial registration, and achieve and maintain accreditation. Review reports and audit findings are provided to the Victorian Government. Where providers are assessed as not

compliant, or there are immediate issues of concern that need to be addressed, there is a requirement to resolve these issues within set time frames.

The Victorian Government may revoke a provider's registration under the Disability Act at any time in accordance with the Act.

The Victorian Government will:

- alert the NDIA (via NDIA inbox and by phone to Transitional Working Group representative) if it has significant concerns about a provider (in circumstances where those concerns have previously been communicated to the provider and the provider has been given a reasonable opportunity to respond);
- include a note in the notice that the Department of Health and Human Services provides to a Victorian approved NDIS provider of its intention to revoke registration under the Disability Act, that a copy of the notice to revoke registration under the Act will also be provided to the NDIA;
- notify the NDIA (via NDIA inbox) when it has issued a Notice of Revocation of Registration under the Disability Act to a Victorian approved NDIS provider.

4.2.2 Ongoing monitoring of residential services under the Disability Act

Providers of specialist disability accommodation that is in scope of the Disability Act will be subject to the requirements of the Act and a range of quality and safeguarding policies. The Victorian Government and statutory oversight bodies with functions and powers under the Act will monitor providers' ongoing compliance with these requirements.

Updated monitoring arrangements for NDIS providers of specialist disability accommodation, funded by the NDIS, will be provided once these are finalised.

4.2.3 Ongoing monitoring of Victorian approved NDIS providers under standards for support types not covered by the Disability Act

Under the NDIA's Terms of Business for Registered Providers, NDIS providers delivering services in-scope of these Working Arrangements are required to comply with Victoria's quality and safeguards set out in the Guide to Suitability. This applies equally to providers of supports not within the scope of the Disability Act.

Providers of supports not within the scope of the Disability Act must demonstrate ongoing compliance with service delivery standards and other quality and safeguarding requirements appropriate to the support types they deliver. This will involve undertaking independent review with a Victorian Government-approved independent review body within 12 to 18 months (depending on type of service) of initial approval. Review reports and audit findings are provided to the Victorian Government. Where providers are assessed as not compliant, or there are immediate issues of concern that need to be addressed, there is a requirement to resolve these issues within set time frames.

The Victorian Government may withdraw status as a Victorian approved NDIS provider at any time in accordance with Victorian quality and safeguards policies.

4.2.4 Management of Critical Incidents

The Victorian Government has responsibility for the reporting and management of critical incidents involving Victorian approved NDIS providers. Victorian approved NDIS providers are required to report critical incidents involving or impacting upon clients that occur at the service or during service delivery. This must be done according to the Victorian policies for reporting and managing critical incidents detailed in the NDIA's Guide to Suitability.

The Victorian Government and the NDIA will work together to develop a process for sharing relevant information (where this is required to support outcomes for participants) about serious incidents by 1 July 2016. The development of this process will also ensure compliance with relevant privacy legislation.

The NDIA's role is limited to situations where a NDIA staff member witnesses or becomes aware of a critical incident involving a Victorian approved NDIS provider.

In these circumstances the NDIA will:

- where necessary, initiate a crisis response to respond to the immediate needs of the individual involved and re-establish a safe environment if required;
- inform the designated Victorian Government Divisional office² (and VicGov inbox) as soon as possible and in line with the timeframes required by incident reporting instructions (listed in Guide to Suitability).

4.2.5 Restrictive Interventions and Compulsory Treatment

Disability Act

A restrictive intervention is defined in the Disability Act as 'any intervention that is used to restrict the rights or freedom of movement of a person with a disability including chemical restraint, mechanical restraint and seclusion'. The Act provides for a greater level of scrutiny and accountability for disability service providers who use restrictive interventions or compulsory treatment. These provisions only apply in respect of disability service providers registered under the Disability Act.

Under the Act, the Senior Practitioner ensures the rights of people subject to restrictive interventions and compulsory treatment are protected and that appropriate standards are complied with. The Senior Practitioner is appointed under the Disability Act and has important functions and powers under the Act. During transition, the NDIA must facilitate the Senior Practitioner to exercise these powers and functions.

The functions of the Senior Practitioner in relation to restrictive interventions and compulsory treatment are to:

- evaluate and monitor the use of restrictive interventions across disability services;
- develop guidelines and standards;
- provide information with respect to the rights of persons with disability who may be subject to the use of restrictive interventions and compulsory treatment;
- provide education and information to disability service providers;

² Designated Divisional offices are set out in VicGov/NDIA communication protocol.

- provide directions to disability service providers in relation to behaviour support plans and treatment plans;
- provide advice to disability services providers to improve practice;
- undertake research and develop links to professionals and academic institutions to facilitate knowledge and training in clinical practice.

The Senior Practitioner also has powers under the Disability Act including to:

- visit, talk to and inspect any disability service;
- see any person who is subject to any restrictive intervention or compulsory treatment;
- investigate, audit and monitor the use of any restrictive interventions and compulsory treatment ;
- inspect and make copies of, or take extracts from, any document relating to any person who is subject to any restrictive intervention or compulsory treatment;
- request information from a disability service provider relating to any restrictive intervention or compulsory treatment;
- authorise by written order the use of a restrictive intervention ;
- direct a disability service provider to discontinue a restrictive practice, and provide assistance to develop alternative strategies for behaviour management.
- direct a disability service provider to observe or carry out a practice, procedure or treatment.

The Victorian Government, NDIA and Office of the Senior Practitioner agree to develop a process for transition (by 1 July 2016) that will support implementation of recommendations of the Senior Practitioner and evidence informed practice in relation to reasonable and necessary decisions.

Mental Health Act

The Mental Health Act provides for the limited use of restrictive interventions. Restrictive interventions can only be used on a person receiving mental health services in a designated mental health service (in either an in-patient or community setting), on the authority of an authorised psychiatrist or the Mental Health Tribunal, and only after all reasonable and less restrictive options have been tried or considered and found unsuitable.

NDIS Providers of psychosocial disability support are not designated mental health services for the purposes of the Act and therefore cannot deliver compulsory treatment and cannot use restrictive interventions.

5. COMMONWEALTH QUALITY AND SAFEGUARDS REQUIREMENTS IN TRANSITION

This Section sets out the process for achieving status as a Commonwealth approved NDIS provider and the ongoing monitoring of Commonwealth approved NDIS providers.

5.1 Arrangements for existing providers of Commonwealth funded services during transition

Existing providers that transition to deliver these services under the NDIS will continue to be subject to the quality and safeguards terms of their Commonwealth funding agreements in accordance with the NDIA's Terms of Business for Registered Providers. NDIS participants will continue to have recourse to the existing Commonwealth safeguard arrangements including:

- service provider complaints processes;
- Department of Social Services complaints processes;
- The Commonwealth Ombudsman;
- The Australian Human Rights Commission; and
- Other mainstream law enforcement and legal avenues.

Australian Disability Enterprises will be required to continue to meet their obligations against their Funding Agreements while also maintaining certification under JAS-ANZ against the National Standards for Disability Services.

5.2 Arrangements for new providers of Commonwealth funded services during transition

New NDIS providers of supports in scope of these arrangements will be subject to compliance with the NDIA's Terms of Business for Registered providers and Victorian quality and safeguarding arrangements. NDIS participants will have recourse to Victorian quality and safeguards as well as Commonwealth mainstream safeguards.

New employment support service providers are required to meet the National Standards for Disability Services and new Australian Disability Enterprises will be required to maintain certification under JAS-ANZ against the National Standards for Disability Services.

5.3 Continuity of Support

During the transition to the full scheme of the NDIS, Victorian and Commonwealth Governments will continue existing quality and safeguards arrangements for providers delivering services to older people with disability under the Commonwealth Continuity of Support Programme; including existing approaches to the regulation of restrictive practices.

Further detail about the quality and safeguards arrangements for the Continuity of Support Programme during transition in Victoria are outlined under the administrative arrangements for continuity of support as referred to in Schedule D of the Bilateral Agreement between the Commonwealth and Victoria for the transition to the NDIS.

6 MANAGEMENT OF COMPLAINTS UNDER THE NDIS

All parties to these arrangements have a role in managing complaints under the NDIS. Complaints will be managed on the premise of:

- recognising complaints are an important opportunity to improve the quality of services and parties have a responsibility to work together to achieve the best possible outcomes for participants;
- a 'no wrong door' approach, supported by warm referrals between parties;
- supporting resolution at the local/provider level wherever possible; and
- supporting the right of participants and their representatives to take complaints to independent dispute resolution bodies.

Implementation of the approach set out in this section will be supported by the development of protocols between Victorian and Commonwealth Governments, statutory bodies and the NDIA which will be developed or updated for transition as required, and be in place by 1 July 2016.

All NDIS registered providers are required to maintain a clear and accessible complaints handling and dispute resolution processes under the NDIA Terms of Business for Registered Providers. In addition, Victorian approved NDIS providers must comply with various legislative and operational policy requirements related to complaints management.

Commonwealth approved NDIS providers must comply with complaints processes contained in existing funding agreements.

NDIS participants purchasing products and services provided by registered and unregistered providers also have rights and protections under the Australian Consumer Law (ACL) including provisions on consumer guarantees, and unfair contract terms. Consumer Affairs Victoria provides information and advice and in some cases, dispute resolution for consumer disputes under the ACL

6.1 Roles in the management of complaints

Where complaints cannot be resolved satisfactorily between the provider and complainant, the type of complaint will dictate which party has primary responsibility for helping the participant to resolve the complaint as follows:

- the NDIA will have primary responsibility for resolving complaints about access to the NDIS, NDIS support plans, NDIA staff and directly contracted providers such as local area coordinator partners (LAC);
- in regard to decisions or actions taken by the NDIA, NDIS participants will have access to the Administrative Appeals Tribunal for merits review of decisions. They can also access the Commonwealth Ombudsman if they have a complaint about the administration of the NDIA;
- the Victorian Government and Victorian statutory bodies will have primary responsibility for resolving complaints about the provision of services by Victorian approved NDIS providers.

Section 6.2 sets out the functions of relevant Victorian statutory bodies.

NDIA

The NDIA will manage complaints about NDIA decisions and employees according to its *feedback management system*, including referral to external oversight bodies as appropriate.

The NDIA will:

- inform participants entering the NDIS of their options to complain to their service provider, the Disability Services Commissioner or Mental Health Complaints Commissioner as applicable, or the Victorian Government and directly refer the complaint on request;
- refer complaints about a Victorian approved NDIS provider to the Victorian Government (via the VicGov inbox by cob of the next business day after receipt);
- accept, record and promptly acknowledge referrals of complaints received from the Victorian Government (via the Vic Gov inbox within five business days – or close of business of the next working day for complaints related to critical incidents) about the NDIA.

6.2 The role of Victorian statutory bodies

Statutory bodies with a role in complaints resolution will continue to perform their functions in alignment with relevant legislation during the transition period. The existing inter-relationships between Victorian Government departments and statutory bodies that give effect to these functions will continue in transition.

Disability Services Commissioner

The Disability Services Commissioner is an independent statutory authority established under the Disability Act. The Commissioner provides a free, confidential and supportive complaint resolution process. Complaints to the Commissioner may be in relation to the services a person receives, or how a service provider has handled a complaint. Any person can make a complaint to the Disability Services Commissioner. The Disability Services Commissioner can conciliate or investigate complaints where previous attempts to resolve with the provider have been unsuccessful or, are not appropriate in the circumstances. The Commissioner can determine the action that should be taken by a provider if a complaint is found to be justified.

Mental Health Complaints Commissioner

The Mental Health Complaints Commissioner can receive complaints about mental health services, including access to services. Complaints are accepted from people receiving or trying to access mental health services, a person acting on their behalf or who has a genuine interest in their well-being. This includes carers, family members, friends and advocates. The Commissioner may resolve complaints informally, receive and monitor undertakings from providers, conciliate matters, conduct investigations, provide recommendations to providers and issue a compliance notice to the service.

Office of the Public Advocate

The Public Advocate is an independent statutory authority established under the Guardianship and Administration Act 1986. The Public Advocate represents the interests of Victorian people with a disability, with the power to investigate and take actions in situations where people are exploited, neglected or abused. The Public Advocate provides advice on the rights of people with disability and individual advocacy can also be provided to people with disability who are at risk of being abused or neglected, and where no other advocacy is available.

The Public Advocate also has a legislative role in relation to restrictive interventions for people with a disability under the Disability Act.

Community Visitors

The Public Advocate auspices the Community Visitors program, established under the Disability Act, Mental Health Act and Supported Residential Services Act (Private Proprietors) Act 2010. Community

Visitors are volunteers empowered by law to visit Victorian disability accommodation services, supported residential services and prescribed premises as defined in the Mental Health Act. Community Visitors observe the environment and staff interaction with resident persons receiving mental health services, make enquiries and inspect documents, and where possible communicate with residents and persons receiving mental health services to ensure they are being cared for and supported with dignity and respect, and to identify any issues of concern.

They visit unannounced and write a brief report at the conclusion of the visit detailing who they have spoken to, what documents they have looked at, any issues of concern, as well as good practice they have observed.

Community Visitors raise issues with management of the service and the Department of Health and Human Services, and in cases of abuse or neglect Community Visitors notify the Public Advocate.

The Victorian Government

The Victorian Government will advise the NDIS participant of their options to complain to the provider, the Disability Services Commissioner or Mental Health Complaints Commissioner as applicable.

The Victorian Government will receive complaints about Victorian approved NDIS providers in accordance with policies listed in the Guide to Suitability. Victorian Government Department operational divisions will work with Victorian approved NDIS providers to resolve a complaint in the first instance. If not resolved, the Victorian Government can review the complaint investigation and/or refer to an external oversight body such as the Disability Services Commissioner or the Mental Health Complaints Commissioner.

The Victorian Government will:

- inform complainants of their options to complain to the provider, the Disability Services Commissioner or Mental Health Complaints Commissioner as applicable, and directly refer the complaint on request;
- monitor Victorian approved NDIS providers' complaints management processes (as per the Disability act requirements);
- inform complainants with complaints about the NDIA or an out of scope provider about their options to complain to the provider, the NDIA or the Commonwealth Ombudsman as applicable and directly refer the complaint on request;
- accept, record and promptly (by cob of the next working day) acknowledge referrals of complaints received from the NDIA about a Victorian approved NDIS provider;
- investigate and resolve complaints according to the DHHS complaints process.

Table- escalated referral points by complaint type

The service provider should always be the first point for resolution of complaints about an NDIS service or support. The table below provides escalation options where resolution with the provider has been unsuccessful.

	Key resolution options
Complaint involving a Victorian approved NDIS provider, for example...	
About a disability service provider (registered under the Disability Act) or support, or about how the provider has managed a complaint	<ul style="list-style-type: none"> ▪ VicGov ▪ Disability Services Commissioner
About any other Victorian approved NDIS provider such as a provider delivering early childhood intervention services	<ul style="list-style-type: none"> ▪ VicGov
About access to mental health services, or the quality or conduct of mental health services	<ul style="list-style-type: none"> ▪ VicGov ▪ Mental Health Complaints Commissioner
About how the Victorian Government has handled a complaint about a Victorian approved NDIS provider	<ul style="list-style-type: none"> ▪ VicGov ▪ Victorian ombudsman
About a decision to use restrictive practices	<ul style="list-style-type: none"> ▪ VicGov ▪ Senior Practitioner ▪ Disability Services Commissioner ▪ Community Visitors ▪ Public Advocate ▪ VCAT (for review of decision)
About a residential service (provider registered under the Disability Act)	<ul style="list-style-type: none"> ▪ VicGov ▪ Disability Services Commissioner ▪ Office of the Public Advocate (request a visit by a Community Visitor)
Complaints about NDIS providers not in-scope of Victorian quality and safeguards requirements, and/or unregistered providers, for example...	
About an NDIS service or support, eg quality, including consumer complaints covered by the Australian Consumer Law	<ul style="list-style-type: none"> ▪ Professional bodies such as the Australian Health Practitioner Regulation Agency (APHRA) ▪ Consumer Affairs Victoria
Complaints about NDIA, for example...	
About an NDIA decision	<ul style="list-style-type: none"> ▪ NDIA feedback, under an application for an internal review of a decision ▪ Administrative Appeals Tribunal
An NDIA provided service or support (e.g. Planning, Local Area Coordination etc)	<ul style="list-style-type: none"> ▪ NDIA feedback ▪ Commonwealth Ombudsman
How the NDIA has managed a complaint	<ul style="list-style-type: none"> ▪ NDIA ▪ Commonwealth Ombudsman

Appendix 1 - NDIS List of Registration groups that require status as a Victorian Approved NDIS provider

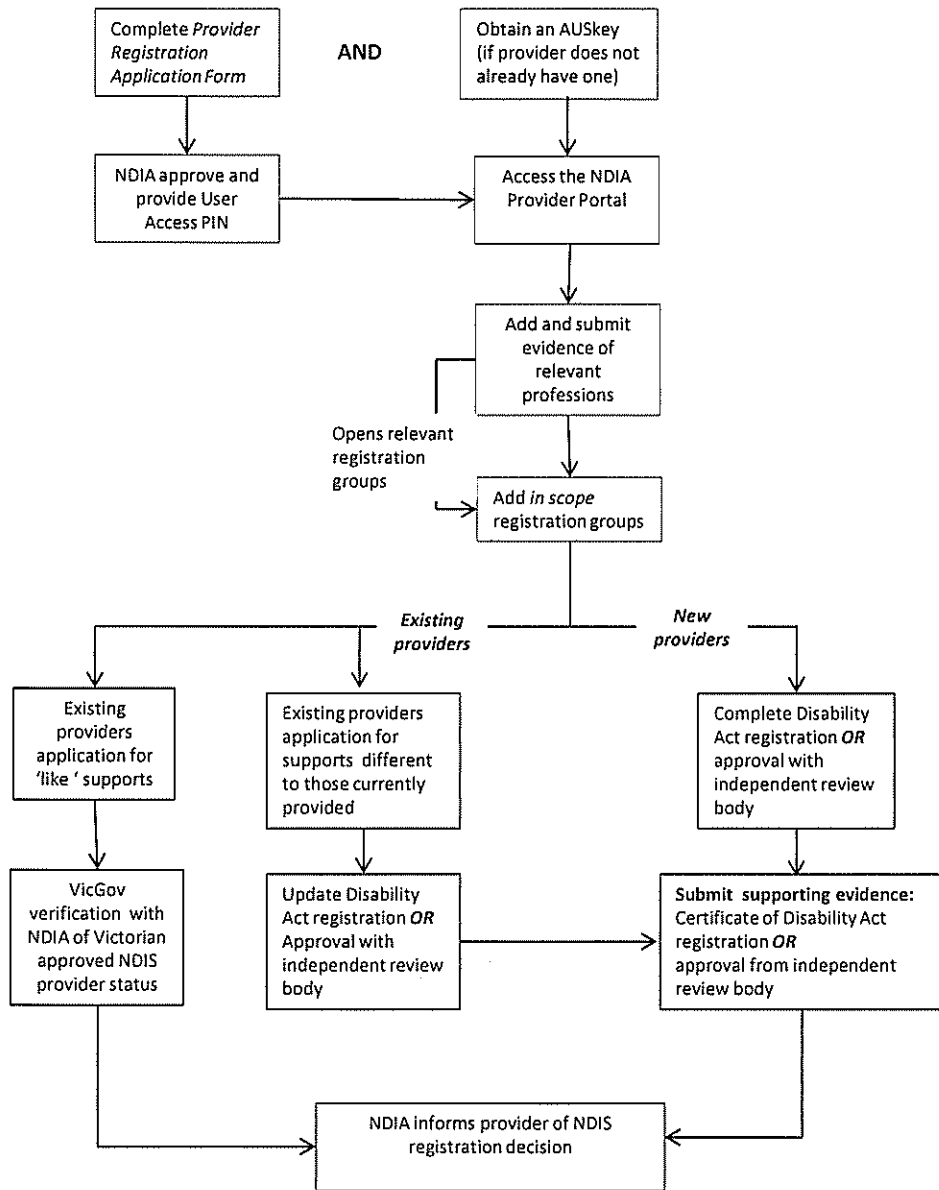
National Disability Insurance Agency list of registration groups	Status as a Victorian Approved NDIS provider Required?
Plan Management	Yes
Accommodation/Tenancy	No
Assist-Life Stage, Transition	Yes
Specialised support co-ordination	Yes
Assist Access/Maintain Employment or Higher Education	No
Daily Tasks/Shared Living	Yes
Daily Personal Activities	Yes
High Intensity Daily Personal Activities	Yes
Assist-Travel/Transport	No
Assistive Equip-Recreation	No
Hearing Equipment	No
Assistive Prod-Household Task	No
Assist Prod Pers Care/Safety	No
Vision Equipment	No
Hearing Services	No
Specialised Hearing Services	No
Specialised Positive Behaviour Support	Yes
Comms & Info Equipment	No
Community Nursing Care	No
Development-Life Skills	Yes
Early Childhood Supports	Yes
Home Modification	No
Household Tasks	No
Interpret/Translate	No
Participate Community	Yes
Group and Centre Based Activities	Yes
Personal Mobility Equipment	No
Customised Prosthetics	No
Exercise Physiology & Personal Training	No
Therapeutic Supports	No
SDA	Yes
Specialised Driver Training	No
Specialised Supported Employment	No
Vehicle modifications	No

Appendix 2 - Process for obtaining registration with the NDIS, where the service provider is required to be a Victorian approved NDIS provider

Summary of steps to achieve status as a Victorian approved NDIS provider

Provider type	Registering for support type:	Process to demonstrate or achieve Victorian approved NDIS provider status	Evidence required for NDIS registration
Existing providers holding a Service Agreement with VicGov	In scope supports equivalent to those currently delivered under the Agreement	<ul style="list-style-type: none"> Provider must first apply to the NDIA for registration NDIA will identify existing providers at registration Streamlined process of verification of Victorian between VicGov and the NDIA 	VicGov will provide verification of Victorian approved NDIS provider status directly to NDIA
	In scope supports different to those currently delivered under the Agreement	<p>If supports in scope of the Disability Act, apply to update registration under the Disability Act</p> <p>OR</p> <p>If supports in scope of by other standards, apply for approval for those supports with independent review quality review body</p>	<p>Updated certificate of registration under the Disability Act</p> <p>OR</p> <p>Proof of approval from independent quality review body</p>
New providers registering with the NDIA	In scope supports	<p>NDIA will refer to VicGov to determine the appropriate process, either:</p> <p>If supports in scope of the Disability Act, apply for registration under the Disability Act</p> <p>OR</p> <p>If supports in scope of by other standards, apply for approval with independent review quality review body</p>	<p>Certificate of registration under the Disability Act</p> <p>OR</p> <p>Proof of approval from independent quality review body</p>

NDIS registration process



Appendix 3- NDIA Guide to Suitability

Provider Guide to Suitability – Victorian Content

A prerequisite to NDIS registration to deliver supports in scope of Victoria’s quality and safeguarding arrangements is achieving and maintaining status as a ‘Victorian approved NDIS provider’. To gain status as a Victorian approved NDIS provider, organisations must demonstrate compliance with Victoria’s quality and safeguarding requirements as set out in this (Victorian) section of the Guide to Suitability. The Victorian Government’s approach to prescribing quality and safeguards requirements for NDIS registration groups is risk-based; and takes account of the context in which support is provided. Obligations for providers will depend on:

- providers’ areas of specialisation and the client groups they work with (providers should refer to the heading ‘Applicable quality and safeguards requirements’ below); and
- whether the provider is an ‘existing provider’ or a new provider (providers should refer to the headings ‘Arrangements for existing providers’ and ‘Arrangements for new providers’ below).

This section of the Guide should be read in conjunction with the Victorian Quality and Safeguards Working Arrangements for Transition (**Victorian Working Arrangements**) which sets out the quality and safeguarding arrangements for transition to the NDIS in Victoria. Part 3 and Part 4 of the Victorian Working Arrangements set out the requirements and processes for providers to register under the *National Disability Insurance Scheme Act 2013 (NDIS Act)*.

Registered NDIS providers operating in Victoria during transition to the NDIS must comply with Victorian policy requirements with respect to quality and safeguards. Providers should also be aware of their additional obligations under Victorian and Commonwealth legislation.

Which quality and safeguards requirements apply?

The below section entitled ‘Victoria’s quality and safeguarding requirements (by provider type)’ sets out the requirements for providers depending on the type of supports in which they specialise. Providers that are unsure of the category into which they fall will be advised of the requirements that will be applicable to them by the Victorian NDIS triage unit on application for Victorian approved NDIS provider status.

Table 1 lists the NDIS registration groups that are in scope of the Victorian requirements.

Table 2 Sets out the mandatory quality and safeguards requirements for all Victorian approved NDIS providers.

In addition to Table 1, there are mandatory requirements specific to particular services. Providers may need to comply with one or more of the following tables below for those services.

Table 3 set outs requirements for NDIS registered providers delivering services specifically for the support of persons with a disability (within the meaning of the *Disability Act 2006 (Vic)*).

Table 4 sets out requirements for NDIS registered providers delivering psychosocial supports provided only to people with a mental illness (as defined by the *Mental Health Act 2014 (Vic)*).

Table 5 sets out requirements for providers delivering early childhood supports (0-6 years).

Table 6 sets out requirements for existing Home and Community Care providers.

Arrangements for existing providers

An ‘existing provider’ means a provider that, as at 30 June 2016, was registered under the *Disability Act 2006* and/or had a current Service Agreement with a Victorian Government Department (for the provision of services transitioning to the NDIS).

Existing providers are deemed to have already achieved Victorian approved NDIS provider status and will not have to undergo an additional review process in order to become a Victorian approved NDIS Provider.

Where an existing provider wishes deliver supports during transition that it did not deliver as at 30 June 2016, it may –at the sole discretion of the relevant Victorian Government Department – be required to undergo further quality assurance processes in order to demonstrate its ability to deliver the new supports in accordance with Victorian quality and safeguards standards.

The following ‘streamlined’ NDIS registration process applies to existing providers:

- When an existing provider applies to the National Disability Insurance Agency (NDIA) to become a registered NDIS provider, the NDIA will notify the Victorian Government of that application;
- At the NDIA’s request, the Victorian Government will confirm the provider’s status as a Victorian approved NDIS provider. The Victorian Government will also advise the NDIA as to which NDIS registration group(s) the provider has pre-approval for (based on the services it delivered under its service agreement with a Victorian Government Department and/or registration under the *Disability Act 2006* as at 30 June 2016); and
- If the Victorian Government confirms to the NDIA that the provider is in fact an existing provider, the NDIA will notify the provider directly of that confirmation and of the NDIA’s decision as to whether to register the provider under the *NDIS Act 2013*.

Existing providers will be monitored for ongoing compliance with the jurisdictional requirements set out in this Guide by the Victorian Government. The Victorian Government reserves the right to refuse or revoke an existing provider’s status as a Victorian approved NDIS provider where it has concerns about the capacity of the provider to comply with Victoria’s quality and safeguarding requirements.

Existing providers of Home and Community Care (HACC) services

Existing providers of HACC services will continue to be subject to the terms and conditions of their service agreement with the Department of Health and Human Services during transition to the NDIS.

Table 6: Requirements for existing Home and Community Care providers will apply to these providers.

Where an existing provider of HACC services wishes to deliver supports during transition that it did not deliver as at 30 June 2016, it may –at the sole discretion of the relevant Victorian Government Department- be required to undergo further quality assurance processes in order to demonstrate its ability to deliver the new supports in accordance with the Victorian quality and safeguards standards.

If an existing provider of HACC services ceases to have a service agreement with the Department of Health and Human Services but continues to deliver the same services funded by the NDIS the provider will be required to demonstrate that it meets the requirements set out in Table 2: Requirements for all Victorian approved NDIS providers and Table 6: Requirements for existing providers of HACC services in order to retain their NDIS registration. Providers may also be required to undertake independent review against the Home and Community Care standards (at their own expense).

Arrangements for new providers

This section applies to any registered NDIS provider operating in Victoria during transition that is not an 'existing provider' (as defined above).

Such providers wishing to register for in-scope NDIS registration groups must submit evidence to the NDIA that they have achieved status as a Victorian approved NDIS provider.

Victorian approved NDIS providers will be monitored for ongoing compliance with the requirements set out in this Guide. The Victorian Government reserves the right to refuse or revoke a new provider's status as a Victorian approved NDIS provider where it has concerns about the capacity of the provider to comply with Victoria's quality and safeguarding requirements.

Removal of 'Victorian Approved NDIS Provider' status

A provider's status as a Victorian approved NDIS provider may be removed if the Victorian Government determines that the provider has not maintained compliance with all Victorian quality and safeguarding requirements relevant to the supports being delivered by the provider.

- A provider delivering supports that are covered by the *Disability Act 2006* will lose its status as a Victorian approved NDIS provider if its registration as a 'disability service provider' under the *Disability Act 2006* is revoked. The process for revocation of a disability service provider's registration under the *Disability Act 2006* is set out in Part 4 of the *Disability Act 2006*.
- A provider delivering other in-scope supports will lose its status as a Victorian approved NDIS Provider if the provider does not comply with the requirements set out in this Guide and poses an unreasonable risk to NDIS participants. The process for removal of Victorian approved NDIS provider status for such providers is as follows:
 - The Victorian Government will notify the Victorian approved NDIS provider in writing of its intention to remove Victorian approved NDIS provider status. The notice will specify the decision, the reasons for the decision and the implications of the proposed decision (ie: that the NDIA may revoke the providers NDIS registration based on the loss of Victorian approved NDIS provider status). The provider will be given at least 14 days to provide a written response to the notice.
 - Any response by the provider as to why the provider's Victorian approved NDIS provider status should not be removed will be taken into consideration by the Victorian government in making its decision.
 - The Victorian Government will notify the NDIA of its decision to remove Victorian approved NDIS provider status prior to the decision taking effect.
- A provider that has lost Victorian approved NDIS provider status poses an unreasonable risk to NDIS participants and loss of Victorian approved NDIS provider status will therefore trigger the revocation of the provider's NDIS registration in accordance with the *NDIS Act 2013* and the *NDIS (Registered Providers of Supports) Rules 2013* and the NDIA's Terms of Business.
- The NDIA may revoke a provider's NDIS registration in part, if the provider is registered to provide supports in scope of Victoria's quality and safeguards requirements, along with other NDIS funded supports that are not in scope. The NDIA may also initiate the NDIA deregistration of a provider (in consultation with the Victorian Government) where the NDIA determines a provider poses an unreasonable risk to participants or has breached the NDIA Terms of Business.

Victoria's quality and safeguarding requirements by provider type

NOTE:

- The requirements listed in Tables 1 to 6 in this section of the Guide will be regularly reviewed and updated and relevant policies may also be updated from time to time. All Victorian approved NDIS providers are responsible for regularly checking that they are up to date with any changes to the requirements in this Guide.
- All references to 'funded organisations' in the policy documents listed in Tables 1 to 6 in the Victorian section of this Guide are to be read as references to Victorian approved NDIS providers.

Requirements for disability service providers

The requirements in this Section apply to providers **specialising** in services specifically for the support of persons with a disability within the meaning of the *Disability Act 2006* (not including psychosocial or early childhood intervention supports) and registering (or registered) by the NDIA to provide supports in any of the following NDIS registration groups:

Plan Management

Assist-Life Stage Transition

Specialised support coordination

Daily Tasks/shared Living

Daily personal Activities

High intensity Daily Personal Activities

Specialised Positive Behaviour Support

Development of Life Skills

Participation in the Community

Group and Centre based Activities

Specialist Disability Accommodation³

Disability service providers delivering NDIS funded services under the registration groups above must comply with requirements listed in:

Table 2: Requirements for all Victorian approved NDIS providers; and

Table 3: Requirements for disability service providers

The Victorian Government will monitor Victorian approved NDIS providers' ongoing compliance with the requirements set out in this Guide, and in line with the [Funded Organisation Performance Monitoring Framework](#).

³ Quality and safeguards arrangements for the NDIS registration group 'Specialist Disability Accommodation' are under development and will be confirmed once finalised with the NDIA.

Requirements for providers of psychosocial supports

The requirements in this Section apply to providers **specialising** in psychosocial supports provided only to people with a 'mental illness' (as defined in the *Mental Health Act 2014 (Vic)*) and registered to provide any of the following NDIS registration groups:

Assist-Life Stage Transition

Specialised support coordination

Daily Tasks/shared Living

Daily personal Activities

High intensity Daily Personal Activities

Specialised Positive Behaviour Support

Development of Life Skills

Participation in the Community

Group and Centre based Activities

Providers of in-scope registration groups are required to comply with the requirements listed in:

Table 2: Requirements for all Victorian approved NDIS providers; and

Table 4: Requirements for providers of psychosocial supports.

The Victorian Government will monitor Victorian approved NDIS providers' ongoing compliance with the requirements set out in this Guide, and in line with the [Funded Organisation Performance Monitoring Framework](#).

Requirements for providers of early childhood intervention supports

The requirements in this Section apply to providers registering or registered to provide the NDIS registration group:

Early Childhood supports.

Providers delivering NDIS funded services under the registration group above must comply with the requirements listed in:

Table 2: Requirements for all Victorian approved NDIS providers; and

Table 5: Requirements for providers of early childhood supports (0-6 years).

The Victorian Government will monitor Victorian approved NDIS providers ongoing compliance with the requirements set out in this Guide, and in line with the [Funded Organisation Performance Monitoring Framework](#).

Requirements for existing providers of HACC services

The requirements in this Section apply to existing HACC providers registering or registered to provide the following NDIS registration groups:

Assist-Life Stage Transition

Specialised support coordination

Daily personal Activities

High intensity daily personal activities

Development of Life Skills

Participation in the Community

Group and Centre based Activities

Providers delivering NDIS funded services under the registration group above must comply with the requirements listed in:

Table 2: Requirements for all Victorian approved NDIS providers; and

Table 6: Requirements for existing providers of HACC services

The Victorian Government will monitor Victorian approved NDIS providers' ongoing compliance with the requirements set out in this Guide, and in line with the [Funded Organisation Performance Monitoring Framework](#).

Providers are subject to a single review process against the Home Care Standards conducted by Australian Aged Care Quality Agency (AACQA).

Table 1: NDIS registration groups that are in scope of Victorian requirements

National Disability Insurance Agency list of registration groups	Status as a Victorian Approved NDIS provider Required?
Plan Management	Yes
Accommodation/Tenancy	No
Assist-Life Stage, Transition	Yes
Specialised support co-ordination	Yes
Assist Access/Maintain Employment or Higher Education	No
Daily Tasks/Shared Living	Yes
Daily Personal Activities	Yes
High Intensity Daily Personal Activities	Yes
Assist-Travel/Transport	No
Assistive Equip-Recreation	No
Hearing Equipment	No
Assistive Prod-Household Task	No

Assist Prod Pers Care/Safety	No
Vision Equipment	No
Hearing Services	No
Specialised Hearing Services	No
Specialised Positive Behaviour Support	Yes
Comms & Info Equipment	No
Community Nursing Care	No
Development-Life Skills	Yes
Early Childhood Supports	Yes
Home Modification	No
Household Tasks	No
Interpret/Translate	No
Participate Community	Yes
Group and Centre Based Activities	Yes
Personal Mobility Equipment	No
Customised Prosthetics	No
Exercise Physiology & Personal Training	No
Therapeutic Supports	No
SDA	Yes
Specialised Driver Training	No
Specialised Supported Employment	No
Vehicle modifications	No

Table 2 – Requirements for all Victorian approved NDIS providers

Compliance with the requirements in **Table 2** is mandatory for all Vic approved NDIS providers.

Legislation policies and guidelines	location
<p>Victorian approved NDIS providers must ensure that services are provided in compliance with all applicable Victorian and Australian Laws. This may include, but is not limited to:</p> <ul style="list-style-type: none"> • <i>Disability Act 2006</i> (Vic) • <i>Mental Health Act 2014</i> (Vic) • <i>Children, Youth and Families Act 2005</i> (Vic) • <i>Charter of Human Rights and Responsibilities Act 2006</i> (Vic) • <i>Privacy and Data Protection Act 2014</i> (Vic) • <i>Health Records Act 2001</i> (Vic) • <i>Public Records Act 1973</i> (Vic), including applicable standards established by the Keeper of Public Records (Public Record Office Victoria) • <i>Associations Incorporation Reform Act 2012</i> (Vic) • <i>The Australian Consumer Law</i> (Cth) • <i>Corporations Act 2001</i> (Cth) • <i>National Disability Insurance Scheme Act 2013</i> (Cth) 	<p>Victorian Statute Book</p> <p>http://www.legislation.vic.gov.au/</p>
<p>Victorian Charter of Human Rights and Responsibilities –[policies and guidelines supporting implementation of the Act]</p>	<p>http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/4.departmental-policies-procedures-and-initiatives/4.9-victorian-charter-of-human-rights-and-responsibilities</p>
<p><i>Carers Recognition Act</i></p>	<p>http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/4.departmental-policies-procedures-and-initiatives/4.23-carers-recognition-act</p>
<p>Privacy, data protection and protected disclosures</p>	<p>http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/3.-terms-and-conditions/3.17-privacy-data-protection-and-protected-disclosures</p>
<p>Funded Organisation Performance Monitoring framework.</p>	<p>http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/4.departmental-policies-procedures-and-initiatives/4.10-funded-organisation-performance-monitoring-framework</p>
<p>Recordkeeping obligations detailed in the Service Agreement Information Kit of Funded Organisations (3.6.2).</p>	<p>http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/3.-terms-and-conditions/3.6-recordkeeping/3.6.2-recordkeeping</p>

Assignment and subcontracting	http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/3.-terms-and-conditions/3.10-assignment-and-subcontracting
Fire risk management guidelines	http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/4.departmental-policies-procedures-and-initiatives/4.1-fire-risk-management

Table 3 – Requirements for disability service providers

Legislation, Standards, policies and guidelines	Location
<p>Registration under the Disability Act 2006 (Vic)</p> <p>Disability service providers must obtain registration under the <i>Disability Act 2006</i> as a pre-requisite for NDIS registration. Providers must apply for registration on the approved form; and complete a self-assessment against the gazetted Victorian <i>Department of Human Services Standards</i></p> <p>Providers must attain accreditation, at the provider’s own expense, against the Human Services Standards with an independent review body within 12 months of registration under the <i>Disability Act 2006</i> and are subject to independent review once in every three-year period.</p> <p>Independent review must be undertaken at the provider’s own expense by an independent review body that is endorsed by the Victorian Government.</p> <p>Providers must operate in accordance with the <i>Disability Act 2006</i> including obligations with respect to complaints, Community Visitors and restrictive interventions.</p> <p>Where a disability service provider has its registration under the <i>Disability Act 2006</i> revoked for any reason this will also mean loss of status as a Victorian approved NDIS provider for services in scope of the Act.</p>	<p>The process for registration under the <i>Disability Act 2006</i> is set out in:</p> <p>Policy, procedures and forms for the registration of disability service providers registered/registering with the National Disability Insurance Agency (Registration Policy)</p> <p>Information on the Human Services Standards and the process for self-assessment is set out in:</p> <p>Human Services Standards policy</p> <p>There is a list of review bodies endorsed by the Victorian Government to accredit and assess compliance against the Human Services Standards.</p> <p>http://www.dhs.vic.gov.au/for-service-providers/disability/service-quality-and-improvement/disability-act-2006-for-service-provider</p> <p>Senior Practitioner-Disability- Resources and guides</p> <p>http://www.dhs.vic.gov.au/for-service-providers/disability/service-quality-and-improvement/disability-act-2006-for-service-provider/Restrictive-interventions-and-compulsory-treatment/related-resources-holder8/restrictive-intervention-data-system-ebehaviour-support-plan</p>
<p>Policy, procedures and forms for the registration of disability service providers registered/registering with the National Disability Insurance Agency (Registration Policy)</p>	<p>http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/national-disability-insurance-agency-disability-service-providers</p>
<p>Human Services Standards policy</p>	<p>http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/human-services-standards</p>
<p>Critical incident management and reporting</p>	<p>http://www.dhs.vic.gov.au/funded-agency-channel/about-service-agreements/incident-reporting/human-services</p>

Staff Safety screening	http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/4.departmental-policies-procedures-and-initiatives/4.6-safety-screening-for-funded-organisations
Emergency preparedness policy	http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/4.departmental-policies-procedures-and-initiatives/4.19-emergency-preparedness-policy-for-clients-and-services
Complaints management policy	http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/4.departmental-policies-procedures-and-initiatives/4.5-complaints-management
Vulnerable people in emergencies	http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/4.departmental-policies-procedures-and-initiatives/4.18-vulnerable-people-in-emergencies

Table 4 – Requirements for providers of psychosocial supports

Legislation, Standards, policies and guidelines	Location
<p>New providers wishing to register to provide in-scope NDIS registration groups to persons with mental illness (as defined in the <i>Mental Health Act 2014</i>) will be required to obtain accreditation against the <i>National Standards for Mental Health Services</i>. Providers must be assessed and reviewed against the Standards by an independent accreditation body within 12 months of NDIS registration.</p> <p>An independent accreditation body is one that is recognised by either the International Society for Quality Health Care or the Joint Accreditation System of Australia and New Zealand, and at the providers' own expense.</p> <p>Existing providers are encouraged to implement the <i>National Standards for Mental Health Services 2010</i>, however this is not mandatory. Existing providers may choose to be assessed and reviewed against standards, at their own expense and discretion, by an independent review body.</p>	<p>http://www.health.gov.au/internet/main/publishing.nsf/content/mental-pubs-n-servst10</p>
<p>Comply with obligations for mental health service providers under the <i>Mental Health Act 2014</i>, including the requirement to have regard to the principles in the Act, obligations in regard to reportable deaths, to establish procedures for managing and resolving complaints report to the Mental Health Complaints Commission on the number and outcomes of complaints received.</p>	<p>https://www2.health.vic.gov.au/mental-health/practice-and-service-quality/mental-health-act-201</p>
<p>Critical incident reporting policy and instruction (Health)</p>	<p>http://www.dhs.vic.gov.au/funded-agency-channel/about-service-agreements/incident-reporting</p>
<p>Responding to Allegations of physical or sexual assault</p>	<p>http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/4.departmental-policies-procedures-and-initiatives/4.4-responding-to-allegations-of-physical-or-sexual-assault</p>
<p>Emergency preparedness policy</p>	<p>http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/4.departmental-policies-procedures-and-initiatives/4.19-emergency-preparedness-policy-for-clients-and-services</p>

Victorian Framework for Recovery-Oriented Practice (Victorian Department of Health, 2011)	http://docs.health.vic.gov.au/docs/doc/Framework-for-Recovery-orientated-Practice
Mental Health Statement of Rights and Responsibilities (2012), Australian Health Ministers Advisory Council (Commonwealth of Australia 2012)	http://www.health.gov.au/internet/main/publishing.nsf/Content/mental-pubs-m-rights2
Victorian Quality Improvement Framework for Health Care 2013-2022 (Victorian Department of Health)	http://www.health.vic.gov.au/divisions/chi/framework-healthcare.htm
Cultural responsiveness framework: guidelines for Victorian Health Services 2010-2013 or update version (Victorian Department of Health 2009)	http://docs.health.gov.au/docs/doc/Cultural-responsiveness-framework-Guidelines-for-Victorian-health-services
Vulnerable people in emergencies	http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/4.departmental-policies-procedures-and-initiatives/4.18-vulnerable-people-in-emergencies

Table 5– Requirements for providers of early childhood supports (0-6 years)

Legislation, Standards, policies and guidelines	Location
<p>Providers wishing to register to provide the registration group <i>Early Childhood Supports</i> are required to complete a self-assessment against the <i>Early Childhood Standards 2016</i> (ECI Standards) with an independent review body endorsed by the Victorian Government, at the providers' own expense.</p> <p>NDIS providers of early childhood supports are required to undertake a review of their compliance with the Victorian Early Childhood Intervention Standards 2016 within 18 months of NDIS registration.</p>	<p>The process for providers to complete self-assessment against the Early Childhood Intervention Standards is set out in:</p> <ul style="list-style-type: none"> • <i>Procedures and Forms for Early Childhood Intervention Standards for Service Providers Operating Under the National Disability Insurance Scheme (being drafted – will link)</i> <p>There is a list of review bodies endorsed by the Victorian Government.</p>
<p>Providers must comply with any performance standards made under the <i>Education and Care Service National Law Act 2010 (Vic)</i> where relevant to provider operating model.</p> <p>Providers must comply with the Child Safe Standards</p>	<p>http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/child-safe-standards</p>
<p>Quality of service delivery</p>	<p>http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/3.-terms-and-conditions/3.3-service-delivery/3.3.1-quality-of-service-delivery</p>
<p>Responding to Allegations of physical or sexual assault</p>	<p>http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/4.departmental-policies-procedures-and-initiatives/4.4-responding-to-allegations-of-physical-or-sexual-assault</p>
<p>Staff Safety screening</p>	<p>http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/4.departmental-policies-procedures-and-initiatives/4.6-safety-screening-for-funded-organisations</p>
<p>Conducting research in early childhood settings and schools</p>	<p>http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/4.departmental-policies-procedures-and-initiatives/4.20-conducting-research-in-early-childhood-settings-and-schools</p>
<p>Complaints management (as amended from time to time)</p>	<p>http://www.education.vic.gov.au/about/contact/Pages/complainecother.aspx</p>

<p><i>Incident Reporting Guidance for ECIS Providers</i> (as amended from time to time)</p>	<p>[Under development]</p>
<p>EC Programs and Services Guide (as amended from time to time)</p>	<p>http://www.education.vic.gov.au/childhood/providers/funding/Pages/devgroupprogguide.aspx</p>
<p>ECIS Guide (as amended from time to time)</p>	<p>http://www.education.vic.gov.au/childhood/providers/needs/Pages/ecispublications.aspx</p>
<p>Procedures and Forms for Early Childhood Intervention Standards for Service Providers Operating Under the National Disability Insurance Scheme (as amended from time to time)</p>	<p>[Under development]</p>

Table 6 – Requirements for existing HACC providers	
Legislation, Standards, policies and guidelines	Location
<p>Providers of HACC services must comply with and be reviewed against the Home Care Common Standards</p> <p>Providers are subject to a single review process against the Home Care Standards conducted by Australian Aged Care Quality Agency (AACQA).</p>	https://www.aacqa.gov.au/for-providers/home-care
Responding to Allegations of physical or sexual assault	http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/4.departmental-policies-procedures-and-initiatives/4.4-responding-to-allegations-of-physical-or-sexual-assault
<p>Critical incident management instruction (health)</p>	http://www.dhs.vic.gov.au/funded-agency-channel/about-service-agreements/incident-reporting
<p>Staff Safety screening</p>	http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/4.departmental-policies-procedures-and-initiatives/4.6-safety-screening-for-funded-organisations
<p>Emergency preparedness policy</p>	http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/4.departmental-policies-procedures-and-initiatives/4.19-emergency-preparedness-policy-for-clients-and-services
<p>Complaints management policy</p>	http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/4.departmental-policies-procedures-and-initiatives/4.5-complaints-management
<p>Occupational health and Safety</p>	http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/4.departmental-policies-procedures-and-initiatives/4.7-occupational-health-and-safety

Workcover	http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/4.departmental-policies-procedures-and-initiatives/4.8-workcover
Pandemic business continuity planning	Http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/4.departmental-policies-procedures-and-initiatives/4.11-pandemic-business-continuity-planning
Vulnerable people in emergencies	http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/4.departmental-policies-procedures-and-initiatives/4.18-vulnerable-people-in-emergencies