



# NT Quality & Safeguarding **Framework** 2016

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# 1 Preface

The Northern Territory Government has developed this *Quality and Safeguarding Framework* (Framework) with the primary purpose of ensuring that quality and safeguarding requirements are met for providers registered by the National Disability Insurance Agency to deliver National Disability Insurance Scheme supports in the Northern Territory.

All providers requesting to be registered with the National Disability Insurance Agency to deliver National Disability Insurance Scheme supports in the Northern Territory must participate in an assessment process against the Framework.

The Framework assessment process provides a method for the registration of providers to deliver National Disability Insurance Scheme supports in the Northern Territory. All providers requesting to be registered by the National Disability Insurance Agency must participate in this assessment process, including existing, new and expanding providers.

The Northern Territory Government will recommend to the National Disability Insurance Agency if a provider should be registered to deliver National Disability Insurance Scheme supports based on the outcome of the assessment.

This Framework is designed to help:

- ensure the right providers are delivering the right supports through the right support staff
- ensure supports are delivered in an appropriate manner, that they reflect and respond to the needs and goals of the individual
- ensure people with disability have access to information and education to make informed decisions
- ensure participants in receipt of support are safe from the risk of harm, abuse and neglect
- protect and promote the rights of people with disability
- allow participants to take reasonable risks to achieve their goals.

The Framework and assessment process will be used during the Scheme transition period, June 2016 to June 2019, as an opportunity to support providers to prepare and meet the full Scheme national *NDIS Quality and Safeguards Framework in 2019*. The Framework's assessment process will also support the Northern Territory disability sector to strengthen its support offerings and will assist in the establishment of a sustainable provider market post full Scheme implementation.

The Framework is aligned with the National Standards for Disability Services, 2013 and is consistent with the intent and approach of the National Disability Insurance Scheme Quality and Safeguarding Framework. The Northern Territory Framework has a strong emphasis on cultural safety, security and competency as well as remote service provision.

The Framework draws on the extensive consultation conducted by the Commonwealth on the national Framework as well as targeted consultations with the disability sector and other key stakeholders in the Northern Territory during its development.

## 2 Introduction

### 2.1 National Disability Insurance Scheme

#### 2.1.1 Overview

The National Disability Insurance Scheme (NDIS or the Scheme) is a new way of providing individualised support for people with permanent and significant disability.

The Scheme represents a fundamental change in the way specialist disability supports are funded and delivered across Australia. Key to the NDIS are the concepts of choice and control, person-centred planning, self-directed and individualised funding, together with sector growth and competition.

The NDIS will provide critical investment in the future of people with disability in order to maximise the opportunities available to them to lead full and productive lives within the Australian community. The Scheme is also central to demonstrating Australia's commitment to the United Nations Convention on the Rights of Persons with Disabilities. The NDIS is a critical part of the National Disability Strategy (NDS), which brings community, government and industry together to address the challenges faced by people with disability as well as to foster opportunities to better support people with disability.

Currently, disability providers predominantly rely on funding supports through 'block contracts' from state and territory governments. This funding arrangement means that government, as the main purchaser of disability support, determines the products, quality and price of support provided to people with disability, while government regulation and contractual arrangements provide for safety and quality standards. Under the NDIS, funding for disability supports is primarily allocated to each eligible individual, not to a provider of supports. As the NDIS is progressively implemented across Australia, providers will need to diversify and adjust their operations to remain competitive under the participant choice model.<sup>1</sup>

With a national approach, the responsibility for funding and management of the NDIS will transfer from state and territory governments to the National Disability Insurance Agency (NDIA), which has been established by the Commonwealth under the *National Disability Insurance Scheme Act 2013*.

Once the Scheme is fully implemented, people with disability will be able to exercise greater choice and control over the types of supports they access, empowering participants and encouraging growth and innovation in the disability support sector.

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<sup>1</sup> Disability Reform Council. Consultation Paper: Proposal for a National Disability Insurance Scheme Quality and Safeguarding Framework. February 2015.

## 2.1.2 Implementation of the NDIS in the Northern Territory

The NDIS implementation in the Northern Territory will occur through an agreed transition phase from 1 July 2016 to 30 June 2019. The Scheme commenced in the Northern Territory on 1 July 2014, with a trial site for people with disability living in the Barkly region. Once full-Scheme implementation is achieved by July 2019, the Commonwealth expects there to be more than 6,500 NDIS participants across the Northern Territory.

Eligible people with disability in the Northern Territory will phase into the NDIS from 1 July 2016 to 30 June 2019, at which point the NDIA will assume full responsibility for all eligible participants, including quality and safeguarding arrangements. During the transition period, the Northern Territory Government will continue to work with the Commonwealth to proactively shape the future direction of support services for people with disability in the Northern Territory.

As part of full Scheme implementation, each state and territory, except Western Australia, has entered into detailed Bilateral Agreements with the Commonwealth regarding transitional arrangements. The *Bilateral Agreement between the Commonwealth and the Northern Territory: Transition to a NDIS* (the Northern Territory Bilateral Agreement) stipulates that the Northern Territory Government is required to provide a method to assess providers wishing to register to deliver supports under the NDIS.

## 2.2 Northern Territory transitional arrangements

The Northern Territory is home to a small, culturally diverse, dispersed population over vast areas, and as such has a unique remote service delivery operating context. The Northern Territory NDIS transition process will take into consideration these factors and will be guided by a number of principles outlined in the Northern Territory Bilateral Agreement:

- **place-based, tailored solutions** to planning, market development, access to services and risk management
- a **coordinated, client-centred, and tailored approach** to the operating model in remote communities informed by existing effective frameworks, that maximises access, engagement and management of risk for individuals
- **culturally competent engagement** and professional practices
- **local planning, market development and risk management** strategies informed by timely and appropriate data.

With respect to quality and safeguarding arrangements, the Northern Territory Bilateral Agreement specifies that existing quality and safeguarding arrangements in the Northern Territory will continue to apply where possible, supplemented by additional interim quality and safeguarding processes during transition, until the Scheme is fully

implemented in July 2019 or until such time that the national NDIS Quality and Safeguarding Framework is agreed and implemented.<sup>2</sup>

## 2.2.1 Registration of providers

As stipulated in the Northern Territory Bilateral Agreement, the Northern Territory Government is required to assess providers to deliver supports under the NDIS. The Northern Territory provider assessment process will facilitate the NDIS registration of existing providers who wish to continue to provide current support types, existing providers who wish to expand their services into new support types, and new providers who wish to provide disability support. The NDIS service types that are required to be assessed against the Framework are outlined in Appendix A.2. Also, providers do not need to participate in the NT assessment process if they are not obligated to be registered with the NDIA to deliver NDIS funded services.

As part of the NDIS provider registration process, the *Northern Territory Quality and Safeguarding Framework* will provide an interim pathway to enable all appropriate providers to achieve registration with the NDIA. This process will determine whether organisations and individuals seeking to provide supports under the NDIS meet appropriate quality and safeguarding standards for the NDIS until such time as the national NDIS Quality and Safeguarding Framework commences. Responsibility for registration of providers at NDIS full scheme will sit with the Chief Executive Officer of the NDIA who will be determine whether organisations and individuals seeking to provide supports under the NDIS meet the requirements set out in the national NDIS Quality and Safeguarding Framework.

The Northern Territory assessment process will be implemented in line with the NDIS phasing arrangements. The initial focus will be on existing service providers entering the Scheme in January 2017, including Supported Accommodation in Darwin (urban) and service providers in East Arnhem. In line with the Northern Territory NDIS phasing arrangements, this will be followed by other providers across the Northern Territory which fall under the following schedule:

- Darwin (remote) from 1 July 2017
- Katherine from 1 July 2017
- Alice Springs (supported accommodation) from 1 July 2017
- All other Darwin (urban) from 1 July 2018
- All other Central Australia from 1 July 2018.

<sup>2</sup> The Commonwealth and jurisdictions are working together to finalise a nationally consistent quality and safeguarding system to be agreed by the Disability Reform Council in 2016.

## 2.3 Quality and safeguards in a NDIS environment

### 2.3.1 Quality

Quality is a complex concept to define, with many different dimensions depending on the system or area to which it is applied. It can be thought of as an outcome – a characteristic of a product or service provided to a customer or participant. The World Health Organisation defines six dimensions of quality of care:

Table 1: Six dimensions of quality of care

Dimension	Delivering care
<b>Effective</b>	...that is adherent to an evidence base and results in approved health outcomes of individuals and communities, based on need.
<b>Efficient</b>	...in a manner which maximises resources used and avoids waste.
<b>Accessible</b>	...that is timely, geographically reasonable, and provided in a setting where skills and resources are appropriate to need.
<b>Acceptable/ person-centred</b>	...which takes into account the preferences and aspirations of individual service users and the culture of their communities.
<b>Equitable</b>	...which does not vary in quality because of personal characteristics such as gender, race, ethnicity, geographic location, or socioeconomic status.
<b>Safe</b>	...which minimises risk and harm to service users.

Source: World Health Organisation (2006). *Quality of care: a process for making strategic choices in health systems*.

In relation to the disability system, it also encompasses dimensions such as meeting minimum industry standards (for example, *National Standards for Disability Services*, 2013), quality and safeguarding requirements, being 'fit for purpose', meeting or exceeding participant expectations and, from a provider perspective, outperforming competitors based on the standard of supports provided.

### 2.3.2 Safeguards

Safeguarding can be defined as actions designed to protect and promote the rights of people to be safe from the risk of harm, abuse and neglect, while maximising the choice and control they have over their lives.<sup>3</sup> Many people with disability require no, or minimal additional supports to ensure they can access general safeguards to an extent equal to other members of the community. Some people with disability with more

<sup>3</sup> Disability Reform Council. Consultation Paper: Proposal for a National Disability Insurance Scheme Quality and Safeguarding Framework. February 2015.  
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complex needs may experience increased vulnerability and therefore face increased risk of harm, abuse or neglect.

Contemporary safeguarding approaches address an issue at multiple points of intervention – from preventing an event from occurring, through reducing likely severity of consequences should an event occur, to redressing an event once it has occurred. There are three types of safeguards – developmental, preventative and corrective.

- **Developmental (individual and/or community):** aims to produce desirable social conditions for inclusion and protection of people with disability, supporting their valued status in the community and developing supports through family and intentional relationship building. Research shows that a person who has a network of family and community support, understands how the system works, and has a sound knowledge of their rights will always be better protected by these natural safeguards than they would be by any safety-net built by governments.<sup>4</sup>
- **Preventive (service system and/or providers):** focuses on service design and cultures to prevent abuse and neglect and actively address risks for individuals. Preventive measures would also encourage providers to deliver safe, high-quality supports, such as assisting providers to build their capacity, including selection and training of their frontline staff.<sup>5</sup>
- **Corrective (service system and/or government):** offers redress and trauma support after an event has occurred.

*Diagram 1: Illustrative example of the three types of safeguarding mechanisms at system, service, individual and community levels*

	Developmental	Preventative	Corrective	
System	Legislation, regulation and policy that mandates the rights of people with a disability and establishes the parameters for the provision of disability support.	High quality credible information on the system and rights.	Quality standards and accreditation.	Health and Community Services Complaints Commission investigations.
Service level	Processes to guide the provision of support at the disability support provider level, including mandated reporting.	Information about service quality. Training and education on understanding abuse and neglect.	Police checks. Professional development for staff.	Changes to policies and practice in response to critical incidents.
Individual level	Practices and mechanisms focused on supporting, empowering and protecting individuals and families as part of providing support.	Self-advocacy and decision-making skills. Education / training.	Health planning and medication management. Ongoing information.	The right to have restrictive practices reviewed.
Community level	External mechanisms to enable independent review and monitoring.	Community awareness programs. Peer support services.	Community visitor program.	Independent representation, including advocacy.

Source: Adapted from *Safeguarding People's Right to be Free from Abuse: Learning from Complaints. Occasional Paper No. 1. Disability Services Commissioner, June, 2012.*

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.



A risk-based approach to quality and safeguarding involves identification of risks and safeguards through individual planning and higher requirements for workers and providers of supports that are considered to pose a higher potential risk. Examples of high risk supports include those that involve more direct contact between staff and participants; unsupervised contact such as personal care in the home; and supports for people with complex needs such as intensive behaviour support and restrictive practices.

A risk-based approach also recognises the differing levels of individual vulnerability (associated with individual capacity and natural supports or the environment) when setting criteria to meet quality and safeguarding requirements.

By taking a risk-based approach, it is intended that the provider of supports becomes more proactive rather than reactive, preventing or reducing undesired risk and promoting a culture of continuous improvement.

## 2.4 National NDIS Quality and Safeguarding Framework

The primary objective of the national Framework is two-fold – to advance the rights of people with disability and minimise the risk of harm, while maximising the choice and control they have over their lives to achieve their goals. It is designed to offer national consistency across the country. This is also consistent with the overall approach of the NDIS.

The national Framework has been shaped by the following principles:

- **Human rights:** uphold and respect the rights of people with disability.
- **Proportionality and risk responsiveness:** safeguards should relate to the actual level of risk faced by a person.
- **Presumption of capacity:** presume that all people with disability have the capacity to make decisions and exercise choice and control.
- **National consistency:** the framework should provide the same protection to people, regardless of where they live in Australia.
- **Efficiency and effectiveness:** the framework is designed to support the development of an efficient and effective NDIS market and achieve the right balance of regulation to ensure quality and safe services.

The national Framework takes a risk-based approach with consideration of two key types of risk – the risk that people with disability could receive poor quality supports that do not assist them to achieve their goals, and the risk that people with disability could be harmed in some way.<sup>6</sup> The aim of the national Framework is to target those areas where the likelihood of harm is greatest and the consequences of harm the most severe. This means that providers of support types where there is potentially a greater risk to participants will have to comply with a stronger regulatory framework than providers in low-risk areas (such as home handyperson services).<sup>7</sup> It also incorporates

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

the three types of safeguarding mechanisms described earlier – developmental, preventative and corrective.

The *Northern Territory Quality and Safeguarding Framework* has been designed to align with the proposed national Framework. The Framework draws on the extensive consultation conducted by the Commonwealth on the national Framework as well as targeted consultations with the disability sector and other key stakeholders in the Northern Territory during its development.

## 3 Northern Territory Quality and Safeguarding Framework

### 3.1 Purpose of the Framework

The Northern Territory Government has developed this Quality and Safeguarding Framework (the Framework) to ensure registered NDIA providers meet quality and safeguarding requirements when delivering NDIS supports in the Northern Territory.

Providers wishing to continue to offer current support types, existing providers wishing to expand their supports into new support types, and new providers wishing to provide disability supports will participate in an assessment process against the Framework to become registered providers.

The Framework assessment process is a method for the registration of providers for the NDIS as implementation of the Scheme occurs across the Northern Territory.<sup>8</sup>

This Framework is designed to help:

- ensure the right providers are delivering the right supports through the right support staff
- ensure supports are delivered in an appropriate manner, that reflect and respond to the needs and goals of the individual
- ensure people with disability have access to information and education to make informed decisions
- ensure participants in receipt of support are safe from the risk of harm, abuse and neglect
- protect and promote the rights of people with disability
- allow participants to take reasonable risks to achieve their goals.

The Framework has been designed to be fit-for-purpose, and while it aligns with the National Standards for Disability Standards and other relevant standards, it provides a level of flexibility to ensure service providers are given the opportunity to continually improve and innovate over time to meet the needs of participants.

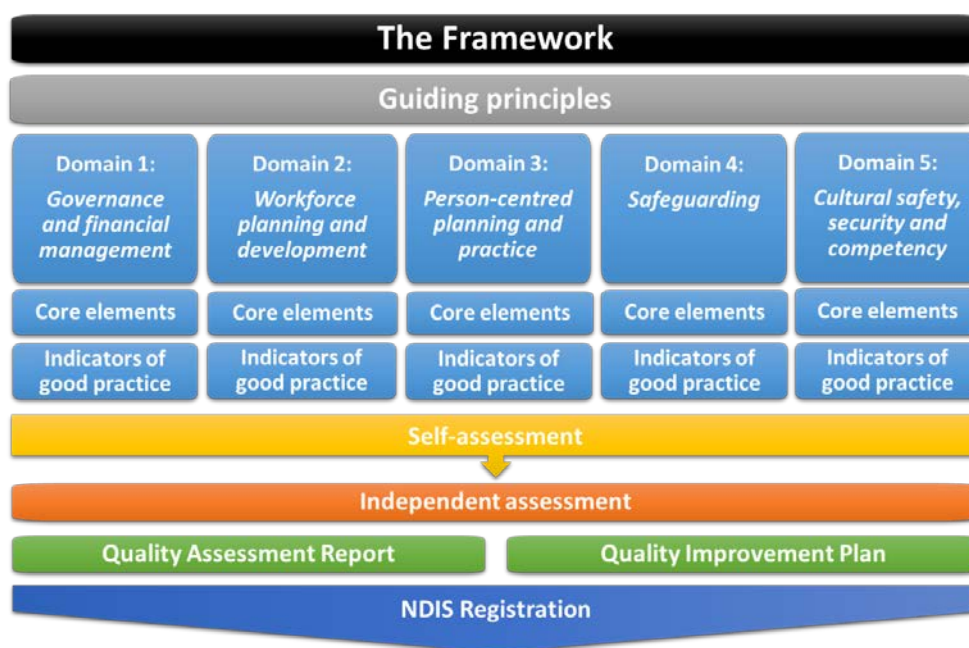
<sup>8</sup> Refer to Appendix A.2 for a list of NDIA Registration Support Types within scope of the Northern Territory Quality and Safeguarding Framework. Providers do not need to participate in the NT assessment process if they are not obligated to be registered with the NDIA to deliver NDIS funded services.

The Framework and the assessment process during the NDIS transition period will be used as an opportunity to support service providers to prepare and meet the NDIS full scheme national Framework in 2019. The assessment process will also support the Northern Territory disability sector to strengthen its support offerings and will assist in the establishment of a sustainable provider market post full Scheme implementation.

## 3.2 Overview of the Northern Territory Framework

The Framework covers five key domains and corresponding elements with associated indicators of good practice. It also includes a provider self-assessment and independent assessment process. The Framework takes a risk-based approach to ensure that those areas where the risks are greatest and the consequences of harm most severe are addressed. An overview of the Framework is found at Diagram 2.

Diagram 2: Overview of the Framework



### 3.2.1 Guiding principles

There are six principles that underpin the Framework:

- **National consistency:** the Framework provides an approach to quality and **safeguarding** that is consistent with the national NDIS Framework and aligns with the *National Standards for Disability Services, 2013*.
- **Equity and access:** the Framework supports service provision that is timely, accessible and provides reasonable geographic access, and is provided in a setting where supports are appropriate for meeting the needs and goals of people with disability.
- **Organisational and financial viability:** the Framework promotes a focus on governance and strong financial and organisational management practices, particularly within the context of service delivery in the Northern Territory.
- **Minimising regulatory burden:** the Framework aims to remove unnecessary burden for individuals and organisations, while still achieving its quality and safeguarding aims, and without compromising the need for risk-based mechanisms to be in place.
- **Cultural safety and security:** the Framework promotes culturally and linguistically diverse support provision that is accessible, responsive and safe for Aboriginal people and people from culturally and linguistically diverse backgrounds where cultural differences and strengths are recognised and promoted to support the delivery of quality supports that meet individual needs and goals.
- **Provider development:** the Framework identifies areas for growth and development for providers<sup>9</sup> and fosters improvement in the capability and capacity of the sector more broadly to continuously improve, grow and innovate in a strength-based, person-centred environment, with a focus on support areas that present the most vulnerability and risk to people with disability.

### 3.2.2 Assessment requirements

The Framework is aligned with the NDIS and is consistent with the intent and approach of the national NDIS Quality and Safeguarding Framework. The Framework has a strong emphasis on cultural safety, security and competency as well as remote service provision.

The Northern Territory Government will exercise a degree of flexibility during the assessment process regarding recommending registration to the NDIA – acknowledging the developmental and capacity building focus of the Framework.

All providers seeking to be registered to deliver NDIS supports in the Northern Territory must demonstrate they meet or are in a position to meet the requirements of the Framework. Providers that do not meet the Framework, but demonstrate that they are working towards meeting the requirements, may be granted provisional registration against the Framework by the NDIA.

<sup>9</sup> The term 'provider' is used throughout the Framework to refer to for-profit and non-profit organisations as well as sole traders.

The requirement of meeting the Framework is an ongoing obligation during the NDIS transition, and the Northern Territory Government may initiate a review of a provider or service type during the transition period to ensure adherence to the Framework.

The Northern Territory Government may issue practice guidelines and directions throughout the NDIS transition period. The practice guidelines and directions are an extension of the Framework and providers will be notified in writing of practice guidelines and directions to which they will be required to adhere to throughout the transition. The assessment process will take into consideration the following:

**a) Providers of disability supports in the Northern Territory**

Existing Northern Territory providers will be required to demonstrate their compliance with the Framework by participating in the assessment process, which includes the self-assessment and onsite review.

Providers that have completed third party verification against the *National Standards for Disability Services, 2013* or the *National Standards for Mental Health Services, 2010* may provide this evidence to the assessor to demonstrate compliance against elements of the Framework.

Assessors will consider all evidence of compliance and will seek to reduce regulatory burden wherever possible.

**b) Providers of disability supports in the Northern Territory that are registered and wish to expand service types**

Providers seeking to expand the service types they are currently registered for must demonstrate they have the necessary skills, experience and expertise to deliver the particular service type or types they request to be registered to deliver under the NDIS.

A streamlined assessment process will assess the provider's skills, experience and expertise to deliver the particular service type, and depending on the level of risk, the Northern Territory Government may engage an independent assessor to conduct an onsite review.

**c) Providers of disability supports registered in other jurisdictions**

Consideration will be given to those providers that are currently registered in other jurisdictions to deliver disability supports and that would like to be registered as providers of supports under the NDIS within the Northern Territory. While recognition may be provided for equivalent assessment domains and elements in the Framework, the provider must be able to demonstrate achievement to the Framework, particularly quality and safeguarding requirements relating to cultural safety, security and competency as well as remote service provision.

Assessors will consider all evidence of compliance and will seek to reduce regulatory burden wherever possible.

**d) New providers of disability supports**

New providers seeking to deliver NDIS supports in the Northern Territory must demonstrate that they can meet the Framework requirements. The assessment

process will consider the achievement of compliance with other national human services standards and seek to align relevant requirements, where possible.<sup>10</sup>

#### e) Sole traders

Where providers of support are sole traders<sup>11</sup> (that is, the provider is not a registered organisation but an individual or individuals operating a business), and are intending to register as a provider of disability supports in the Northern Territory under the NDIS, it is expected that they:

- review the NDIS *Provider Toolkit Model 4: Guide to Suitability*<sup>12</sup>
- review the NDIS *Provider Toolkit Model 2: Registering as a provider*<sup>13</sup>
- meet the requirements set out in the *Declaration of Suitability* in NDIS *Provider Toolkit Model 2: Registering as a provider*<sup>14</sup>
- comply with all laws and regulations, including industrial and work health and safety requirements
- verify their criminal history through a national police check and have a working with children clearance for the Northern Territory (Ochre Card) for each employee and volunteer engaged in the provision of the NDIS service type

Sole traders will be required, in addition to the above, to satisfy specific elements of the Framework. The Framework elements that sole traders are required to meet will depend on the funded supports they are seeking to be registered to provide. The level of risk posed by the service type will determine the requirements that the sole trader must meet.

#### f) Streamlined assessment processes for select service types

Streamlined assessment processes will apply for select NDIS service types outlined in Appendix A.2. Providers intending to register for these service types are expected to:

- review the NDIS *Provider Toolkit Model 4: Guide to Suitability*<sup>15</sup>
- review the NDIS *Provider Toolkit Model 2: Registering as a provider*<sup>16</sup>
- meet the requirements set out in the *Declaration of Suitability* in NDIS *Provider Toolkit Model 2: Registering as a provider*<sup>17</sup>

<sup>10</sup> Bilateral Agreement between the Commonwealth and the Northern Territory for the transition to an NDIS. Schedule F.

<sup>11</sup> The term 'sole trader' is used throughout this Framework to refer to individuals who operate a business to provide disability support services.

<sup>12</sup> National Disability Insurance Agency, NDIS *Provider Toolkit Model 4: Guide to Suitability* (revised October 2016)

<sup>13</sup> National Disability Insurance Agency, NDIS *Provider Toolkit Model 2: Registering as a provider* (1 July 2016)

<sup>14</sup> National Disability Insurance Agency, *Declaration of Suitability* in NDIS *Provider Toolkit Model 2: Registering as a provider* (1 July 2016)

<sup>15</sup> NDIS *Provider Toolkit Model 4: Guide to Suitability* (revised October 2016)

<sup>16</sup> National Disability Insurance Agency, NDIS *Provider Toolkit Model 2: Registering as a provider* (1 July 2016)

<sup>17</sup> National Disability Insurance Agency, *Declaration of Suitability* in NDIS *Provider Toolkit Model 2: Registering as a provider* (1 July 2016)

- verify the criminal history through a national police check and have a working with children clearance for the Northern Territory (Ochre Card) for each employee and volunteer engaged in the provision of the NDIS service type
- comply with all laws and regulations, including industrial and work health and safety requirements
- comply with any codes of ethics, regulations or other industry standards relevant to the NDIS service type
- comply with Northern Territory Government practice guidelines and directions.

Providers that register for multiple service types, including the streamlined NDIS service types, will be required to meet all relevant requirements, including those set out in the Framework.



Table 2: Northern Territory quality and safeguarding arrangements during transition<sup>18</sup>

Jurisdiction	Applicable legislation	Quality standards	Accreditation and assurance processes	Complaints and investigation	Critical incident reporting	Regulation of the use of restrictive practices	Supplementary administrative arrangements
<b>Northern Territory funded programmes</b>	<i>Health and Community Services Complaints Act</i> <i>Care and Protection of Children Act</i> <i>Guardianship of Adults Act</i> <i>Anti-Discrimination Act</i>	National Standards for Disability Services, 2013	See <i>Supplementary administrative arrangements</i> column	Health and Community Services Complaint Commission Office of the Public Guardian Anti-Discrimination Commission	Health and Community Services Complaint Act	Disability Services Act 1986	Quality assessment, capacity building and registration functions Northern Territory Quality and Safeguarding Framework (the Framework)
<b>Commonwealth funded programmes including employment services</b>	<i>Disability Services Act 1986</i>	National Standards for Disability Services, 2013	Accreditation bodies for AEDs and Advocacy Additional Program specific accreditation for early intervention Relevant Commonwealth government departments	Commonwealth Ombudsman Aged Care Commissioner	Policy enforced by contract	N/A	N/A

<sup>18</sup> Bilateral Agreement between the Commonwealth and the Northern Territory for the transition to an NDIS. Schedule F.

### 3.2.3 Domain areas for assessment

The table below outlines the core quality and safeguarding domains, the intent of each domain and the corresponding elements. The full details of the Framework can be found in the *Framework Domains, Elements and Indicators Guide*.

Table 3: Overview of the Framework assessment domains

Domain	Domain Intent	Elements
<b>1. Governance and financial management</b>	<p>Governance establishes the strategic direction and underpins the effective operations of an organisation ensuring there are appropriate structures, planning, policy and practices and oversight mechanisms in place to deliver quality disability supports.</p> <p>Oversight mechanisms include financial and operational management with consideration to remote service delivery.</p>	<ul style="list-style-type: none"> <li>• Board<sup>19</sup> governance               <ul style="list-style-type: none"> <li>- Board operations</li> <li>- Board oversight</li> <li>- Board reporting</li> <li>- Board relationships</li> </ul> </li> <li>• Operational management</li> <li>• Financial management</li> <li>• Remote service provision</li> </ul>
<b>2. Workforce planning and development</b>	<p>Support workers play a significant role in the lives of people with disability. It is therefore important that providers recruit the right people with the right skills. Induction and orientation prepares new workers for their role and workplace, and ensures they have a comprehensive understanding of their role.</p> <p>Supervision and access to learning and development opportunities are important ways to encourage workers to continue to learn and develop their knowledge and skills and to keep up-to-date with best practice to better support participants.</p>	<ul style="list-style-type: none"> <li>• Recruitment, selection and induction</li> <li>• Supervision and support</li> <li>• Learning and development</li> </ul>

<sup>19</sup> Or equivalent.

Domain	Domain Intent	Elements
<b>3. Person-centred planning and practice</b>	<p>Person-centred planning places the person with disability at the centre of all planning activity with a focus on supporting participants to have choice and control over the supports they need to live their lives in the way they want.</p> <p>Person-centred practice and active support delivers positive outcomes to participants by being flexible and tailored to individual strengths and needs. Providers that adopt person-centred planning and practice will deliver supports that competently recognise and respond to issues related to age, gender, culture, heritage, language, faith, sexual identity, relationship status and other factors determined by the individual.</p>	<ul style="list-style-type: none"> <li>• Person-centred planning</li> <li>• Person-centred active support (practice)</li> </ul>
<b>4. Safeguarding</b>	<p>Safeguarding seeks to ensure the safety and autonomy of people with disability by promoting their rights and maximising their capacity to have choice and control over the way they live their lives.</p> <p>It involves providers establishing policies and procedures that provide clarity about expectations in relation to standards of support as well as support worker knowledge, attitudes and behaviours.</p>	<ul style="list-style-type: none"> <li>• Information and education for participants and support workers</li> <li>• Critical incident management</li> <li>• Participant safety and well-being</li> <li>• Restrictive practices</li> <li>• Complaints, compliments, feedback and dispute resolution</li> <li>• Provider culture</li> </ul>
<b>5. Cultural Safety, Security and Competency</b>	<p>The provision of supports to Aboriginal people and people from culturally and linguistically diverse backgrounds are accessible, responsive and safe where cultural differences and strengths are recognised and promoted.</p> <p>The ability of providers to provide culturally safe, secure and competent disability supports is paramount to meeting the needs of participants.</p>	<ul style="list-style-type: none"> <li>• Cultural safety, security and competency</li> </ul>

### 3.2.4 Mandatory and desirable indicators of good practice

Within the Framework domains, there are elements with indicators of good practice that have been classified as 'mandatory' and others as 'desirable'. Mandatory indicators are a mix of quality and safeguarding indicators that are essential for underpinning the safety, security and well-being of people with disability to fully exercise their rights and to lead the life they would like to live with the support of providers.<sup>20</sup> Providers must demonstrate achievement against the mandatory indicators of good practice to be registered.

The majority of indicators have been classified as desirable – meaning that these indicators reflect good practice and contemporary approaches to minimising the risk of harm, abuse or neglect of people with disability in circumstances of greater vulnerability. These indicators also focus on the quality of support provision within a person-centred practice where participants are able to fully exercise choice and control in relation to the supports they receive.

### 3.2.5 Evidence requirements

Providers will be required to show evidence of how they meet requirements of the Framework during an independent, onsite assessment of their organisations or operations (sole traders). The Framework has been designed to accommodate flexibility in the types of evidence sought and the ways in which evidence can be provided.

### 3.2.6 Roles and responsibilities

The Framework requires involvement of a range of stakeholders including government, providers of supports for people with disability operating in the Northern Territory, support workers, families and carers as well as people with disability (participants). All stakeholders have a role to play within the Framework. Examples of the types of roles and responsibilities for each stakeholder group is illustrated in the following table.

*Table 4: Roles and responsibilities of stakeholders in relation to this Framework*

Stakeholder group	Roles and responsibilities
<b>People with disability</b>	<p>People with disability have an important role in ensuring that the quality of supports they receive are appropriate to their needs and meet their goals and aspirations.</p> <ul style="list-style-type: none"> <li>• Participating in assessment activities as required.</li> <li>• Providing feedback.</li> </ul>
<b>Family, carers and guardians</b>	<p>Families and carers have an important support role to ensure that the quality of supports received are appropriate to the needs, goals and aspirations of the individual.</p> <ul style="list-style-type: none"> <li>• Participating in assessment activities as required.</li> <li>• Providing feedback.</li> </ul>
<b>Government (Northern Territory Government and NDIA)</b>	<p>The Northern Territory Government will have overarching leadership and a facilitation role in relation to the Framework during the transition period until the NDIA assumes full responsibility post full-Scheme implementation.</p>

<sup>20</sup> The term 'provider' is used throughout this Framework to refer to for-profit and non-profit organisations as well as sole traders.

Stakeholder group	Roles and responsibilities
	<ul style="list-style-type: none"> <li>• Contracting and managing a panel of independent assessors to undertake independent assessments of providers against the Framework.</li> <li>• Establishing mechanisms for the participation of providers in Framework processes.</li> <li>• Undertaking and reporting on trend analysis against Framework requirements to inform provider quality and safeguarding practices and sector development with a focus on quality improvement.</li> <li>• Encouraging sharing and interaction between providers and government (including the Northern Territory Government and the NDIA) with a strong focus on facilitating and enabling sector development strategies based on the analysis of assessment trends and emerging issues.</li> <li>• Developing systems and mechanisms for reporting on the assessment of providers against the Framework.</li> <li>• Making recommendations to the NDIA on provider registration.</li> <li>• NDIA registering organisations to deliver NDIS supports in the Northern Territory</li> </ul>
<b>Providers</b>	<ul style="list-style-type: none"> <li>• Responding to Framework assessment requirements.</li> <li>• Establishing mechanisms for the participation of their organisation in quality and safeguarding system processes.</li> <li>• Developing systems, structures and mechanisms within their organisation for reporting back on achievement against the Framework.</li> <li>• Sharing and interacting with other providers to support continuous quality improvement and capacity building.</li> </ul>
<b>Support workers (and other staff directly involved in the provision of supports)</b>	<p>Support workers have an important operational and care delivery role in ensuring that the requirements are met as outlined in the Framework.</p> <ul style="list-style-type: none"> <li>• Ensuring that their knowledge and skills are contemporary, with a focus on continuous learning and development.</li> <li>• Ensuring that they understand and apply the Framework – both principles and practices to deliver quality, equitable person centred care to people with disability that takes into account the preferences and aspirations of participants and the cultures of their communities.</li> <li>• Participate in assessment activities.</li> </ul>

## 4 Assessment process and requirements

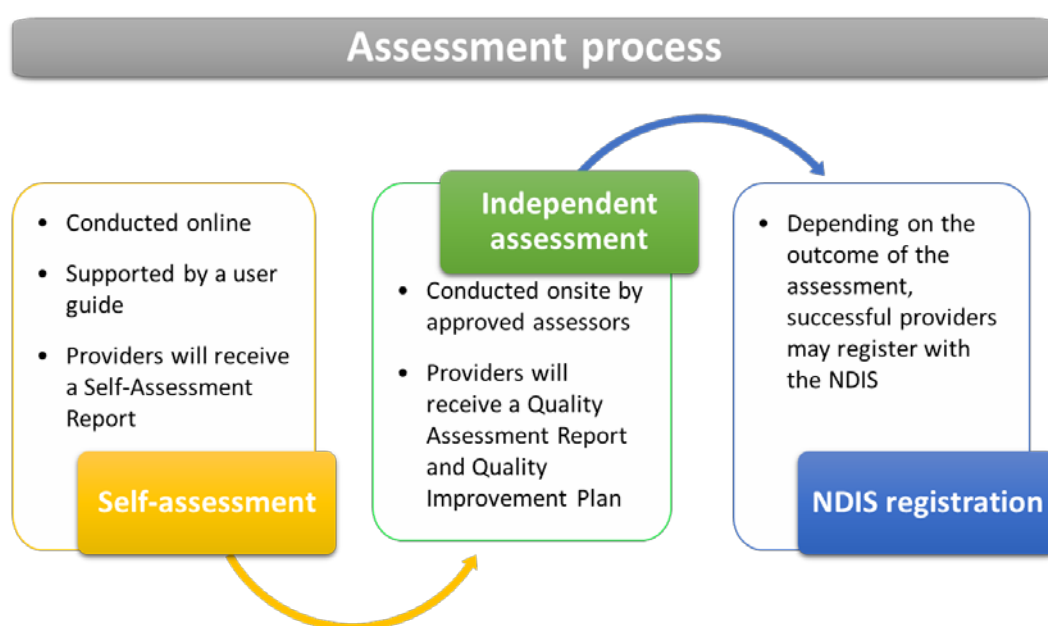
### 4.1 Purpose of assessment

The purpose of assessment is to ensure that providers are able to satisfy the requirements of the Framework to be registered as a provider of quality supports to people with disability in the Northern Territory.

### 4.2 Overview of the assessment process

Assessment involves two key steps: a provider self-assessment, followed by an independent assessment conducted on-site by approved assessors who have the necessary qualifications, skills and experience.

*Diagram 3: Overview of the assessment process*



### 4.3 Provider self-assessment

#### Overview

Self-assessment involves a provider examining how it undertakes day-to-day business, what it achieves and how it measures against the Framework assessment areas. The self-assessment involves reporting against key indicators of good practice for the five domains and related elements of the Framework.

Self-assessment is an opportunity for providers to:

- confirm areas where their service is meeting the Framework domains and elements
- identify gaps in current systems, processes and practices that do not meet Framework requirements
- plan immediate and ongoing actions to address any identified gaps in systems, processes and practices
- identify additional opportunities for improvement, to support continuous improvement and innovation.

### Assessment process

A self-assessment tool has been developed to enable providers to self-assess against the indicators of good practice requirements of the Framework. The tool is available through Breaking New Ground (BNG), NGO Services Online *Standards and Performance Pathways* (SPP) website.<sup>21</sup> A short user guide explaining the assessment process and scoring is available to support the completion of the self-assessment. It is not expected that providers will show evidence against Framework requirements in the self-assessment process; rather, it is a tool for providers to use in preparation for the independent assessment process.

Providers will be asked to respond to a series of indicators of good practice aligning to the five domains and associated elements.

### Outcomes

At the completion of the self-assessment tool, a **Self-Assessment Report** will be generated which records evidence of current good practice and identifies areas for further improvement against each Framework domain. The Self-Assessment Report is a confidential document that is only shared with the assessor and the Northern Territory Government. The Self-Assessment Report is a tool to assist providers to prepare for the independent assessment by identifying priority actions. The self-assessment process applies a four point developmental rating scale, and developmental scores will be generated for each domain that will quantify a provider's achievement against Framework requirements.

## 4.4 Independent assessment

### Overview

The purpose of the independent assessment process is to determine provider suitability to be registered as a provider of supports under the NDIS for the identified service types.

### Role of assessors

The role of assessors is to provide an independent assessment to determine if providers meet the requirements of the Framework. Assessors will systematically collect, analyse and report information about a provider's achievement against Framework requirements – including the outcomes providers achieve for recipients of their disability supports.

<sup>21</sup> The Northern Territory Government has engaged BNG, a non-government organisation, to host the self-assessment tool. The tool is available from: <<https://www.ngoservicesonline.com.au/nds-quality>>



## Qualifications and experience of assessors

A panel of approved assessors has been established by the Northern Territory Government. Assessors have been engaged who are highly qualified and experienced in the disability, mental health or adjacent human services sectors. In addition, specific assessors have been engaged who have skills and expertise in the delivery of services to Aboriginal people and people from culturally and linguistically diverse backgrounds, as well as remote service delivery. All assessors have completed approved training and orientation. Among the requirements for maintaining membership to the Panel of Assessors is the commitment to ongoing professional development. All assessors are required to observe the *Code of Conduct* for assessors and are expected to conduct the assessment in a culturally safe, secure and competent manner.

## Assessment process

The independent assessment will be conducted onsite generally by two qualified assessors (the assessment team) over a period of several days depending on the size, structure and geographic spread of the organisation. Providers will be given notice of the assessment timeframe and onsite schedule. It is expected that providers will have prepared for the assessment process by informing staff, participants and their families and carers, as well as reviewing the self-assessment report and addressing, where possible, any areas requiring development.

As part of the assessment process, assessors will seek to:

- review a range of documented evidence
- interview a range of staff within the organisation as well as participants, families and carers
- observe support provision, where appropriate.

At the commencement of the onsite assessment, assessors will conduct a briefing session with management to introduce themselves, provide an overview of the assessment process, roles and schedule, outline expectations as well as answer any questions and queries. It also provides an opportunity for providers to raise any issues or concerns. A debriefing session will occur at the conclusion of the assessment to outline initial findings, before finalising the formal Quality Assessment Report and Quality Improvement Plan. Regular meetings between the assessment team and nominated assessment lead will occur throughout the visit.

## Evidence requirements

A combination of qualitative and quantitative evidence will be required. The assessment will focus on how a provider demonstrates a systematic approach to each domain, how knowledge, understanding and awareness of each domain is applied in practice (actions) and the monitoring and evaluation mechanisms in place to support continuous improvement to achieve quality outcomes.

Assessors will examine a range of evidence, including:

- **Documentation:** this includes a wide range of written and verbal material that demonstrates how a provider meets Framework requirements while also addressing relevant external requirements, for example legislation, standards (such as the *National Standards for Disability Services, 2013*) and other industry or government requirements. This may include documentation such as policies and procedures and records and other resources used by staff or participants who receive supports such as referrals, intake and assessment tools, support plans, attendance records,

feedback and complaint forms, personnel files, meeting agendas and minutes, training attendance records and critical incident reporting.

- **Knowledge, understanding and awareness:** this includes information about the methods the provider uses to demonstrate implementation of the documented systems, policies and processes in practice (actions) to achieve desired outcomes for participants. For example, this may include training plans and records, for example, planned staff training and orientation, or the provision of information to participants in suitable formats to facilitate understanding and to meet the language, cultural and communication needs of participants.
- **Monitoring, evaluation and reflection (feedback):** this includes information to demonstrate the provider's approach to continuous quality improvement and the methods used to measure the effectiveness of systems and processes in every day practice to achieve desired outcomes for participants. This may include interviews with participants, families and carers. Examples may include feedback mechanisms such as focus groups, surveys, complaints; reports such as management, financial, annual and audit; quality improvement plans and associated activities and documentation.

## Outcomes

The independent assessment process will result in the following:

- A comprehensive **Quality Assessment Report** of achievement against the Framework requirements. It will contain a detailed commentary and assessment of each domain and its elements, including indicators of practice. The assessment process applies a four point developmental rating scale, and developmental scores will be determined for each domain that will quantify a provider's achievement against Framework requirements.
- A **Quality Improvement Plan** (where applicable) against the Framework domains and elements with a checklist of key actions required and suggested timeframes for addressing actions.

## Assessment under the Framework

The Northern Territory Government will consider the outcome of the assessment process and make a determination if the provider meets the Framework requirements. The Northern Territory Government will exercise a degree of flexibility regarding assessment – acknowledging the capacity building focus of the Framework. Based on the outcome of the assessment, the Northern Territory Government will recommend to the NDIA if a provider should be registered to deliver NDIS services in the NT.

The Northern Territory Government will not recommend to the NDIA that a provider be registered if the provider fails to meet the mandatory indicators of good practice and is unable to demonstrate capacity to achieve these requirements within specified timeframes.

The Northern Territory Government will recommend to the NDIA that a provider be provisionally registered with conditions attached if the provider does not meet the Framework requirements, but demonstrates that they have capacity to achieve the requirements and show evidence of working towards meeting these requirements. Providers that are provisionally registered under the Framework will be required to strictly adhere to the conditions and their Quality Improvement Plan, which will be reviewed and monitored by the independent assessors.

## 5 Quality improvement and capacity building

### 5.1 Quality improvement planning

At the conclusion of the independent assessment, a Quality Improvement Plan will be prepared for the provider that identifies key areas of strength and areas for further development for each domain. The focus of the report is to provide an independent evidence base to foster development and support continuous improvement. The information contained within these reports will form the basis for quality improvement planning at an organisational (provider) level.

### 5.2 Sector development

The Northern Territory Government, with the support of the Commonwealth Department of Social Services and its Sector Development Fund, will provide a range of capacity building supports for providers during the transition period. These sector development supports will assist providers to meet the requirements of the Framework, and to prepare for the national Quality and Safeguarding Framework and the full rollout of the NDIS.

Disability sector development activities will cut across a number of key focus areas, and will be both sector wide and tailored to individual providers with the aim of improving practice to better address and meet the needs of people with disability. Importantly, there is a specific focus on safeguarding the rights of people with disability and improving practices to prevent abuse and neglect along with a full understanding of the use of restrictive practices. Other areas of focus include supporting providers to improve their systems, processes and management, as well as supporting providers to reorientate their models of support delivery to be more person-centred.

Quality Improvement Plans will be used to inform sector development planning and activities.

## 6 Appendices

### A.1 Glossary

Term	Definition
<b>Cultural competency</b>	A set of congruent behaviours, attitudes, and policies that come together in a system, agency, or among professionals and enable that system, agency or those professionals to work effectively in cross-cultural situations. <sup>22</sup>
<b>Cultural safety</b>	<p>Identifies that people with disability are safest when professionals and organisations have considered power relations, cultural differences and participants' rights. Part of this process requires professionals to examine their own realities, beliefs and attitudes. Cultural safety is not defined by the professional, but is defined by the participant's experience – the individual's experience of support they are given, ability to access services and to raise concerns.<sup>23</sup></p> <p>The essential features of cultural safety are:</p> <ul style="list-style-type: none"> <li>• An understanding of one's culture.</li> <li>• An acknowledgment of difference, and a requirement that caregivers are actively mindful and respectful of difference(s).</li> <li>• It is informed by the theory of power relations – any attempt to de-politicise cultural safety is to miss the point.</li> <li>• An appreciation of the historical context of colonisation, the practices of racism at individual and institutional levels, and their impact on first nation's people's living and wellbeing – both in the present and past.</li> </ul> <p>Its presence or absence is determined by the experience of the recipient of support – it is not defined by the caregiver.<sup>24</sup></p>
<b>Cultural security</b>	Commitment to the principle that the construct and provision of services offered by the disability system will not compromise the legitimate cultural rights, values and expectations of Aboriginal and Torres Strait Islander people. It is achieved by developing accessible and effective disability support systems for Aboriginal and Torres Strait Islander people based on acknowledgement of Aboriginal and Torres Strait Islander people's right to self-determination, empowerment and health care and, as such, an understanding and responsiveness to cultural views, beliefs and knowledge systems which play an integral role in adherence to health care services. <sup>25</sup>

<sup>22</sup> Congress of Aboriginal and Torres Strait Islander Nurses and Midwives (CATSINaM) (2013). Towards a shared understanding of terms and concepts: strengthening nursing and midwifery care of Aboriginal and Torres Strait Islander peoples, CATSINaM, Canberra.

<sup>23</sup> Adapted from: Papps, E. and Ramsden, I. (1996) *Cultural Safety in Nursing: the New Zealand Experience*. International Journal for Quality in Health Care, Vol 8, No 5, pp. 491-497.

<sup>24</sup> Adapted from: Northern Territory Department of Health (2016). *Aboriginal Cultural Security Framework 2016-2026*. Northern Territory Government.

<sup>25</sup> Department of Health Western Australia (nd). *WA Health Aboriginal Cultural Respect – Implementation Framework*. Available from: <<http://www.aboriginal.health.wa.gov.au>>.

Term	Definition
<b>Domains</b>	<p>The five domains are the overarching content areas of the Framework and include:</p> <ol style="list-style-type: none"> <li>1. Governance and financial management</li> <li>2. Workforce planning and development</li> <li>3. Person-centred planning and practice</li> <li>4. Safeguarding</li> <li>5. Cultural Safety, Security and Competency</li> </ol>
<b>Elements</b>	Each domain has specific elements. The elements are the key topic areas that will be examined as part of the assessment for the particular domain.
<b>Indicators of good practice</b>	<p>Each element list indicators of good practice. Organisations must show that they meet the indicators of good practice.</p> <p>The indicators of good practice have been classified as 'mandatory' and 'desirable'. Mandatory indicators are a mix of quality and safeguarding indicators that are essential for underpinning the safety, security and well-being of people with disability to fully exercise their rights and to lead the life they would like to live with the support of providers.</p> <p>The majority of indicators have been classified as desirable – meaning that these indicators reflect good practice and contemporary approaches to minimising the risk of harm, abuse or neglect of people with disability in circumstances of greater vulnerability.</p>
<b>NDIA</b>	The National Disability Insurance Agency (NDIA) is an independent statutory agency, established under the <i>National Disability Insurance Act 2013</i> (Cth), whose role is to implement the National Disability Insurance Scheme.
<b>Provider</b>	A person or organisation registered with the NDIA to provide supports to participants or to manage the funding for supports for participants.
<b>Quality</b>	Quality is an outcome – a characteristic of a product or service provided to a customer or participant. It encompasses a number of dimensions such as efficiency, effectiveness, accessibility, person-centred, equitable and safe. In a practical sense, it means meeting minimum industry standards, being 'fit for purpose', meeting or exceeding participant expectations and outperforming competitors.
<b>Restrictive practice</b>	A 'restrictive practice' is defined as any practice or intervention that has the effect of restricting the rights or freedom of movement of a person with disability, with the primary purpose of protecting the person or others from harm. <sup>26</sup> Restrictive practices include restraint (physical, mechanical, environmental or chemical), seclusion and containment.
<b>Safeguarding</b>	Safeguarding in relation to people with disability includes minimising the risk of harm, protecting individual rights to be safe and empowering individuals to achieve choice and control over their lives.

<sup>26</sup> National framework for reducing and eliminating the use of restrictive practices in the disability services sector (2013). Department of Social Services.

Term	Definition
<b>Scheme</b>	The National Disability Insurance Scheme
<b>Sole Trader</b>	In the context of this Framework, a sole trader is referred to as an individual who operates a business to provide disability support services.
<b>Supports</b>	Different forms of assistance offered to a person with disability to enhance their quality of life and assist them to meet their goals. Supports can include, for example, personal care or transport, as well as activities of the NDIA provided in relation to a participant such as local area coordination.

## A.2 NDIS registration support types

NDIS registration grouping	Requirement of the Framework
Accommodation / Tenancy	No
Assistance Animals	No
Assist Access / Maintain Employment or Higher Education	Yes
Assistive Equipment-Recreation	Streamlined assessment processes <sup>27</sup>
Assistive Products – Personal Care/Safety	Streamlined assessment processes
Assistive Products – Household Task	Streamlined assessment processes
Assist-Life Stage, Transition	Yes
Assist-Travel/Transport	Streamlined assessment processes
Communication and Information Equipment	No
Community Nursing Care	Yes
Customised Prosthetics	Yes
Daily Personal Activities	Yes
Daily Tasks/Shared Living	Yes
Development-Life Skills	Yes
Early Childhood Supports	Yes
Exercise Physiology and Personal Training	Yes
Group and Centre Based Activities	Yes
Hearing Equipment	No
Hearing Services	No
High Intensity Daily Personal Activities	Yes
Home Modification	Streamlined assessment processes
Household Tasks	Streamlined assessment processes
Innovative Community Participation	No

<sup>27</sup> Refer to Assessment Processes, 3.2.2(f), for the requirements of a streamlined assessment process.



NDIS registration grouping	Requirement of the Framework
Interpret/Translate	No
Participate Community	Yes
Personal Mobility Equipment	Streamlined assessment processes
Plan Management	Yes
Specialised Disability Accommodation	No
Specialised Driver Training	No
Specialised Hearing Services	Yes
Specialised Positive Behaviour Support	Yes
Specialised Support Coordination	Yes
Specialised Supported Employment	No
Therapeutic Supports	Yes
Vehicle modifications	No
Vision Equipment	No

## A.3 Framework alignment with the NSDS

Domain 1: Governance and financial management	
Element	Alignment with relevant NSDS
<b>1.1 Board governance</b>	
1.1.1 Board operations	-
1.1.2 Board oversight	-
1.1.3 Board reporting	-
1.1.4 Board relationships	-
<b>1.2 Organisational management</b>	
1.2.1 Organisational management	4.5, 5.2, 6.3, 6.5, 6.7
<b>1.3 Financial management</b>	
1.3.1 Financial management	-
<b>1.4 Remote service delivery</b>	
1.4.1 Remote service delivery considerations	5.1, 5.2, 5.5, 5.6, 5.7

Domain 2: Workforce management and development	
Element	Alignment with relevant NSDS
2.1 Recruitment, selection and induction	6.1
2.2 Supervision and support	6.1, 6.6
2.3 Learning and development	6.1, 6.6

Domain 3: Person-centred planning and practice	
Element	Alignment with relevant NSDS
3.1 Person-centred planning	1.1, 1.2, 1.3, 1.4 3.1, 3.2, 3.3, 3.4, 3.5, 6.7
3.2 Person-centred support	2.1, 2.2, 2.3, 2.4, 2.5 3.2, 3.3, 3.4, 3.5 6.2

Domain 4: Safeguarding	
Element	Alignment with relevant NSDS
4.1 Information and education for participants and support workers	1.5, 1.6, 1.7, 1.8, 1.9, 4.2, 4.5, 6.1
4.2 Critical incident management	1.5, 1.6
4.3 Participant safety and wellbeing	1.5
4.4 Complaints, feedback and dispute resolution	1.6, 1.7, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6
4.5 Culture	4.5, 6.4

Domain 5: Cultural safety, security and competency	
Element	Alignment with relevant NSDS
5.1 Cultural safety, security and competency	3.4, 2.2, 2.3, 2.4, 2.5, 2.6, 5.7