



Senate Select Committee on COVID-19

Answer to Question on Notice

Reference: SQ20-000064

Registration Data

Hearing: 17 September 2020

Hansard Page: 33

Question:

CHAIR: So we've got one infringement notice and 23 banning orders. You said you've also stopped people from being able to register as a provider—is that correct?

Mr Head: Yes. I haven't brought all of the registration data, obviously, to this particular hearing, but we do refuse reregistrations, and we have revoked registrations.

CHAIR: And you just don't have those figures with you?

Mr Head: No, but I can take that on notice, if you would like.

Answer:

For the period 1 July 2018 to 30 June 2020:

- three registered NDIS providers have had their registration revoked; and
- three registered NDIS providers have had their application to re-register refused, resulting in their registration with the NDIS Quality and Safeguards Commission ceasing.

Details of these providers and the relevant decisions are published on the NDIS Provider Register, Part 2 (Compliance and enforcement actions), which is published on the NDIS Commission website at: www.ndiscommission.gov.au/document/1141.



Senate Select Committee on COVID-19

Answer to Question on Notice

Reference: SQ20-000065

On-site visits as part of audit activity

Hearing: 17 September 2020

Hansard Page: 42

Question:

CHAIR: Can you tell me whether there were fewer proactive checks of providers during COVID-19? [...]

Ms Taylor: I think it's important to give you some context. The commissioner mentioned earlier that we were in a transition cycle. Whilst we commenced in New South Wales, South Australia and then the other jurisdictions in 2019, providers go through a process of reregistering in order to retain their registration. That cycle doesn't enable us, because it's new in each jurisdiction, by definition, to have a pure comparative period of audit activity across the years, but I think for sure we can say that there would have been a reduction in some of the audit activity that related to on-site, because of the need to make sure the audit bodies were limiting exposure for people with disability during peak periods in the pandemic and where health orders would not have allowed them to undertake that work.

CHAIR: Could you come back to us with what that actually translates to in site visits, as you call them?

Answer:

All registered National Disability Insurance Scheme (NDIS) providers who are subject to a certification audit are required to undergo a site visit as part of the certification process. The NDIS Quality and Safeguards Commission (NDIS Commission) developed advice for providers and Approved Quality Auditors to manage audit requirements during the COVID-19 pandemic. This included advising auditors to:

- review their audit practices to ensure these are provided in a way that minimises the risk of exposure to COVID-19 for participants, providers and auditors;
- where audits were / are scheduled to occur, engage with providers to confirm their availability to continue where practicable to do so; and
- delay or reschedule audit dates where providers were / are not in a position to proceed with these.

Further, the NDIS Commission advised Approved Quality Auditors that, where appropriate and following a risk assessment conducted by the auditor, a remote audit could be conducted via video conference.

The sampling requirements contained in the *National Disability Insurance Scheme (Approved Quality Auditors Scheme) Guidelines 2018* were still required to be met. Subsequent certification audits, including the mid-term audit, will resume in-person where appropriate.

The number of NDIS providers undergoing an audit that entails direct engagement with NDIS participants, either on-site or via remote audit, has not decreased in light of the COVID-19 pandemic. Currently, around 250 providers each month complete a full certification audit which entails direct engagement of auditors with participants.

However, the NDIS Commission is unable at this stage to report the number of site visits during the COVID-19 period or those that were conducted as a remote audit, as this detail is contained in each individual audit report.

In addition to site visits that occur through a quality audit as part of the process for applying for or renewing registration, the NDIS Commission may undertake site visits in the exercise of its other functions. From March to September 2020, NDIS Commission staff undertook 41 visits to NDIS provider sites for various purposes, including as part of an investigation, compliance monitoring, participant engagement and wellbeing checks and for specific provider education. In many cases, these site visits involved providers who were supporting multiple participants.



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Answer to Question on Notice

Reference: SQ20-000066

Providers banned since 30 June 2020

Hearing: 17 September 2020

Hansard Page: 44

Question:

CHAIR: In terms of the questions on notice, when you issued one infringement notice, that was up to 31 July. Have there been any since?

Mr Head: We haven't issued any infringement notices since then, no.

CHAIR: So that remains at one. In terms of banned entities? I think we had 23.

Mr Head: As of what?

CHAIR: As of 30 June, I think it was.

Ms Taylor: We haven't banned anyone in the context of COVID.

CHAIR: No, but has there been any further on those 23 providers?

Ms Taylor: On other related matters.

Mr Head: I'd need to check the dates but—

CHAIR: That was up to 30 June.

Mr Head: Yes, there has been.

Ms Taylor: There has been, yes. They're published on our website.

Mr Head: We will provide—

Answer:

During the period 1 July 2018 to 30 June 2020, the NDIS Quality and Safeguards Commission (NDIS Commission) made banning orders in respect of one provider and 22 individuals (two of which have been revoked).

Since 30 June 2020, the NDIS Commission has made banning orders in respect of one additional provider and five individuals, as at 24 September 2020.

Compliance and enforcement actions taken by the NDIS Commission, including banning orders, are published on the NDIS Commission website at: www.ndiscommission.gov.au/document/1141.