



Compliance and Enforcement Framework

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Acknowledgement of Country

The NDIA acknowledges the Traditional Custodians of Country throughout Australia and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to Elders past, present and emerging.

1. Compliance and Enforcement Framework

The National Disability Insurance Agency (NDIA, or the Agency) compliance and enforcement activities give effect to the Agency's legal functions (*NDIS Act*, 2013:S118) to prevent, detect, investigate and respond to misuse or abuse of, or criminal activity involving National Disability Insurance Scheme (NDIS) money.

Australians contributed \$46.35 billion for the year ending 30 June 2025 to the NDIS (*NDIA Annual Report, 2025*). All Australians have an interest in the effective management of NDIS money by the NDIA and ensuring that everyone involved in the NDIS does the right thing.

We understand that while a majority of people intend to do the right thing with NDIS money, some do not. The NDIA was implemented with 'catastrophically weak' (*The Auditor-General Report No. 48, 2025*) prevention controls, systems and legislative architecture, and is continuing to build new systems and implement legislative reform to strengthen the NDIS.

We are improving integrity in the NDIS and making it easier to get it right and harder to get it wrong. This helps to minimise risks in the NDIS, including those to participants, their nominees, their families and the broader Australian Community.

Our compliance and enforcement action is stepped, including a spectrum of treatments responding to a range of severity of non-compliant behaviour.

We monitor and report on the progress of compliance and enforcement activities so that we can continue to strengthen our capability and actions.

1.1 Purpose

The purpose of this document is to outline the Agency's approach to compliance and enforcement when someone fails to meet their legal requirements when accessing, spending, claiming or receiving NDIS money.

1.2 Scheme requirements

There are a range of requirements in place to manage the integrity of the NDIS and they include;

Eligibility: We apply eligibility criteria to determine who is eligible to claim NDIS money. This includes applying using the correct form and meeting residency requirements.

Claiming: Claims lodged with the NDIA require that NDIS money is only spent on evidenced NDIS supports that are reasonable and necessary, in line with the participant's plan and in line with requirements under the National Disability Insurance Scheme Amendment Bill 2024 (NDIS Act, 2013:S10, S46).

1.3 Legislative requirements

The Agency's approach to compliance and enforcement is informed by a range of provisions including but not limited to:

- [Public Governance, Performance and Accountability Act 2013 \(the PGPA Act\)](#)
- [Public Governance, Performance and Accountability Rule 2014](#)
- [National Disability Insurance Scheme \(NDIS\) Act 2013](#)
- [NDIS Risk Management Rules 2013](#)
- [National Anti-Corruption Commission Act 2022](#)
- [Privacy Act 1988](#)
- [Criminal Code Act 1995](#)
- [Crimes Act 1914](#)
- [Commonwealth Fraud and Corruption Control Framework 2024](#)

- [Public Interest Disclosure Act 2013.](#)

2. Our approach to compliance and enforcement

NDIA aims to make it easier to do the right thing and harder to do the wrong thing. In all actions we are committed to ensuring participant safety and the continuity of genuine disability-related NDIS supports. We focus on financial risks caused by people doing the wrong thing and respond to those risks in a range of ways according to the extent and nature of the harm they cause. We focus on prevention and deterrence first. We have a full spectrum of treatments available to implement. Table 1 shows these actions.

Table 1

Compliance posture	Description	Compliance actions
Voluntary compliance	Willing to comply with obligations and requirements.	<ul style="list-style-type: none"> • Education • Engagement • Support
Inadvertent non-compliance	Efforts to comply are made but are not always successful.	<ul style="list-style-type: none"> • Education • Engagement • Support • Targeted engagement • Pre-payment reviews • Post-payment reviews • Requests to self-correct
Opportunistic non-compliance	Avoids complying if the opportunity	<ul style="list-style-type: none"> • Campaigns • Targeted engagement

	<p>exists and may be categorised as careless to reckless behaviour.</p>	<ul style="list-style-type: none"> • Desktop reviews • Pre-payment reviews • Post-payment reviews • Manual Payment Reviews • Investigations (administrative & criminal) • Debt-raising • Cross-Agency collaboration or referrals • Participant safeguarding
<p>Deliberate non-compliance</p>	<p>Intentional disregard/ deliberate choices made not to comply.</p>	<ul style="list-style-type: none"> • Pre-payment reviews • Post-payment reviews • Manual Payment Reviews • Desk top reviews • Investigations (administrative & criminal) • Debt-raising • Criminal prosecution • Cross-Agency collaboration or referrals • Participant safeguarding

3. Our compliance activities

3.1 Prevention

We are working within the multi-Agency [Fraud Fusion Taskforce](#) (FFT) to design and implement better NDIA and whole-of-government systems that prevent fraud and non-compliance before harm occurs.

The safety and wellbeing of participants is our priority when we investigate or take action against fraud or non-compliance. Safeguarding of participants to ensure they are getting genuine support from their NDIS plan is central to the compliance and enforcement approach taken by the NDIA.

We are focused on designing systems and controls that support compliant behaviour. We ensure quality and integrity is embedded into every touch point our participants, providers and other stakeholders have with the NDIS, including access, planning and claims and payments processes. Fraud controls are regularly reviewed. This ongoing improvement includes investment in data, digital and analytics programs, enhancing fraud detection in line with contemporary best practice. For example, we are strengthening payment systems to ensure non-compliant claiming is identified and stopped prior to processing.

We take a strategic approach that incorporates identity verification controls and cross-government data sharing to build risk profiles which strengthen fraud prevention and minimise the opportunity for error or non-compliance. A whole of government approach also enables the development of strategic prevention that leverages capability across a number of Commonwealth Agencies and partners in state and territory governments.

Other prevention efforts include targeted education and engagement activities with individuals, the NDIS market, and the broader disability sector to ensure accurate community understanding of what good looks like, and how to identify potentially non-compliant and fraudulent behaviour. We utilise media to raise awareness to deter fraud and to highlight enforcement actions.

3.2 Detection

We are working within the multi-Agency FFT to share and use data to easily and quickly identify risks of non-compliance and fraud.

More details on the NDIA's approach to detecting and managing fraud can be found in the Agency's [Fraud Strategy Statement](#).

Fraud detection includes the building of fraud risk profiles to analyse data and identify instances of potential fraud and corruption. Some of the detection methods the Agency employs include:

- Pre-payment detection profiles identifying risk across all daily claims.
- Other proactive detection profiles across a range of data sources.
- Analysis of tip-offs and on-going work on enhancing fraud detection systems.
- Facilitation of proactive data analytics and analysis of intelligence from a range of sources.
- Cyber security detection profiles.
- Strengthening existing controls around digital identity and access management.
- We have multiple and simple ways for any person to report a concern or make a tip-off.

All potential instances of fraud and corruption are then validated through further investigation. Determination of fraud risk informs the type of controls and treatments to be applied.

3.3 Investigation

We initiate and undertake administrative and criminal investigations using the [Australian Government Investigation Standards](#) (AGIS) as best practice guidance.

As part of the investigation process the Agency may seek evidence from independent sources including financial institutions and other providers.

Administrative investigations

Suspected non-compliance is investigated through administrative investigations which can result in debts being raised where it is found that there is no entitlement to NDIS monies.

NDIA will seek to recover funds obtained through non-compliant activities through administrative channels in accordance with Agency practices and available legal avenues.

Criminal investigations

Alleged fraudulent activity is investigated by the NDIA with assistance of the Australian Federal Police and state and territory law enforcement partners. The NDIA will work with Commonwealth and state and territory public service agencies to ensure providers in the NDIS marketplace are high quality and have not had compliance issues in other markets. For the most serious cases NDIA will pursue asset restraint and court reparations using Commonwealth and state and territory powers to return NDIS monies fraudulently obtained.

Protecting participants

Every investigation is committed to ensuring participant safety and the continuity of genuine disability-related NDIS supports for NDIS participants. We undertake participant risk assessments and work with internal and external partners like the NDIS Quality and Safeguards Commission (NDIS Commission) to support participants impacted by suspected non-compliance and fraud. Priorities include:

- protecting the rights of people with disability
- improving and regulating the quality and safety of positive behaviour support
- reducing and eliminating restrictive practices.

3.4 Response

Targeted responses

We use data and intelligence to target entities (businesses or individuals) suspected of non-compliance or fraud. We may educate, monitor, engage and caution targeted entities. We may review, monitor and, at times, cease entities' spending, claims and payments. Our reviews are a form of administrative investigation and can involve the use of the Agency's legal powers to obtain information and evidence. These reviews help safeguard participants' plans and provide a layer of integrity over high-risk providers to protect participants from being exploited. Where we detect significant issues, we may:

- Initiate interventions to ensure participant safeguarding.
- Raise debts.
- Refer the entity to the NDIS Commission where compliance and enforcement tools include actions, penalties and sanctions, that come from the Commission directly or from a court ruling. For more information about commission compliance and enforcement actions please consult the NDIS Commission [Compliance and Enforcement policy](#).
- Refer the entity to partner FFT agencies to assess and resolve potential breaches of other obligations.
- Refer relevant individuals to the Commonwealth Director of Public Prosecutions (CDPP) for consideration of criminal prosecution.

Systemic responses

We work across government to respond to risk and harms arising in multiple settings. We use data and intelligence to identify patterns of risk and harm and take whole-of-government action to reduce risk, remediate harm and sanction unlawful behaviour. We may make referrals to other government agencies requesting they take enforcement action.

3.5 Monitoring and reporting

Keeping track of fraud prevention and detection efforts, reviewing and updating fraud control measures, and sharing insights with key stakeholders are vital to continually

strengthen our compliance and enforcement approaches and controls. Risk profiles identified during the 'detection' phase are collectively analysed, monitored and reported on to ensure the agency is continuously and systemically identifying and eliminating threats. This activity provides assurance over the effectiveness of the Agency's control arrangements in preventing, detecting, and responding to fraud and corruption. The Agency's fraud reporting and monitoring includes:

- Reporting significant issues that may affect the Agency to the responsible Minister or oversight agencies, annually or as required, in compliance with section 19 of the *Public Governance, Performance and Accountability Act 2013*, sections 50A and 51 of the *Public Interest Disclosure Act 2013*, sections 33 and 35 of the *National Anti-Corruption Act 2022* and subsection 10(f)(iii) of the *Public Governance, Performance and Accountability Rule 2014* (the Fraud and Corruption Rule).
- NDIA Audit and Risk Committee oversight in accordance with Section 45 of the *Public Governance, Performance and Accountability Act 2013*.
- Certification of fraud control arrangements in the Agency's Annual Report in compliance with Section 17AG of the *Public Governance, Performance and Accountability Rule 2014*.
- Australian National Audit Office performance audits as required.
- Internal reporting through various governance structures to ensure whole-of-Agency awareness and effort in preventing, detecting and responding to fraud and corruption.

4. Further information

If you would like to report a suspected incident of fraud you can do so by using the online [tip-off form](#) or telephoning the fraud reporting hotline on 1800 650 717.

For general information about the Agency and the Scheme, including supporting guidance, information, and information sessions, please visit [ndis.gov.au](https://www.ndis.gov.au).

4.1 Glossary of terms

Control: individual measures, processes or functions that help entities prevent, detect and respond to fraud. An integrated assembly of controls make up a control environment.

Corruption: any action (plans or attempts) that undermines the integrity or fairness of public administration.

Desktop review: Analysis of information readily at hand within desktop-based systems for NDIA staff.

Error: an unintentional or negligent act or omission that causes a loss and does not constitute fraud or corruption.

External fraud: fraud committed against a Commonwealth entity by external parties. This includes members of the public and those not engaged by a Commonwealth entity.

Fraud: dishonest behaviour intended to gain a benefit or cause a loss. It can include theft, falsifying documents, or misusing information for personal gain.

Fraud Fusion Taskforce (FFT): The Fraud Fusion Taskforce, led by the NDIA and Services Australia, started in November 2022, and has 24 Agencies in its membership (as at November 2025).

Identity fraud: the gaining of money, goods, services or other benefits, or the avoidance of obligations through the use of fabricated, manipulated, stolen or otherwise fraudulently assumed identity.

NDIA: The National Disability Insurance Agency (NDIA) is an independent statutory Agency. Its role is to implement the National Disability Insurance Scheme.

NDIS: The NDIS provides funding to eligible people with disability to gain more time with family and friends, greater independence, access to new skills, jobs, or volunteering in their community, and an improved quality of life.

Non-compliance: Any failure to meet obligations under applicable laws, regulations, agreements, contracts or other requirements, either intentionally or unintentionally.

Risk: the effect of uncertainty on objectives. An effect is a deviation from the expected positive and/or negative. Risk is often expressed in terms of a combination of the consequences of an event and the associated likelihood of occurrence.

Scam: an illegal trick. Scams usually try to get money illegally from people. A scam is a type of fraud.

5. References

- The Auditor-General, Australian National Audit Office, [*Auditor-General Report No.48 2024-25 Performance Audit - National Disability Insurance Agency's Management of Claimant Compliance with National Disability Insurance Scheme Claim Requirements*](#), 25 June 2025
- National Disability Insurance Agency, [*NDIA 2024-25 Annual Report*](#), 5 November 2025
- [*National Disability Insurance Scheme Act*](#), 2013