8 June 2020

The Federal Government will expand the powers of the NDIS Quality and Safeguards Commissioner to ban unsuitable providers and workers from working with National Disability Insurance Scheme (NDIS) participants, regardless of whether they are active in the sector or not.

Minister for the National Disability Insurance Scheme, Stuart Robert, said that the NDIS Amendment (Strengthening Banning Orders) Bill 2020, which will be introduced in Parliament this coming sitting, will further reinforce protections in the NDIS legislation for participants of the NDIS.

‘The NDIS Commissioner, who is responsible for regulating NDIS providers and enforcing the NDIS Code of Conduct, will be granted additional banning powers to prevent people who may pose a risk of harm to participants from entering or re-entering the NDIS,’ Minister Robert said.

‘The NDIS Commissioner will be able to apply banning orders to people even if they are not currently working in the NDIS.

‘This means workers who have left the NDIS, including where they have been fired due to unsuitable behaviour, can be banned from re-entering the field.

‘The amendments also mean the NDIS Commissioner can use information from sources outside the NDIS, such as a person’s conduct in aged care or child care work, to ban an unsuitable person from entering the NDIS in the first place.’

Banning orders are at the extreme end of the NDIS Commissioner’s regulatory powers and are only used in the most serious of cases.

The NDIS Quality and Safeguards Commission makes the details of providers and workers who have been banned publicly available in the NDIS Provider Register. People with disability, their supporters and providers can use the Register to check that the people they are engaging to deliver NDIS services have not had a banning order against them.

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