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The NDIS Review Secretariat
Submitted Online

Allied Health Practitioner Feedback on the NDIS Quality and Safeguarding Framework

This submission was co-written by member organisations of Allied Health Professions Australia (AHPA). AHPA and member organisations remain available for comment.

We take this opportunity to collectively highlight the following information regarding the first two questions of the consultation.

What is working well about the Framework? What is not working well to promote safeguards of people with disability and the quality of supports?

AHPA and its member organisations are not aware of any evidence that proves that the NQS Framework improves the quality and safety of NDIS services. In 2022 in a Senate Inquiry, NDIS Quality and Safeguards Commissioner Tracy Mackey confirmed that the Commission does not have research pertaining to unregistered providers.¹

Furthermore, participants have the right to choose if they wish to engage registered or non-registered providers. As Dr George Talepros states: ‘We fought for an NDIS with people with disabilities in charge, where we have the right to decide who provides our support.’² Many participants also believe that NDIS registration for currently unregistered providers would not provide greater safety or quality.³

Some providers have even reported that when they have ceased registration with the NQSC, some participants will move from NDIA-managed to plan- or self-management, so they can continue seeing the provider they prefer.⁴

We also draw attention to the recently published Interim Report of the Parliamentary Joint Standing Committee on the NDIS, on the Review of the Capability and Culture of the NDIA. This report emphasises the complexity of the NDIS and as a consequence, the disempowering impact this can have on participants, who may have enough difficulty trying to navigate and negotiate the system even when quality and safety are not paramount issues.

Participants are often unaware of all of the different regulatory mechanisms, and may not have the skills to advocate for their needs or to inquire about quality and safety processes that are relevant to them and the services they need.

As recommended by the Joint Standing Committee, funding must be increased for advocates and other entities (eg community visitors) so that they can work in an empowering way alongside

¹ Commissioner Mackey (2022) Proof Committee Hansard. Senate. Community Affairs Legislation Committee, 72.

² Dr George Talepros. (2023). [NDIS Provider Registration: Our lives, our homes, our bodies, our choice](#).

³ Dickinson H, West R, Yates S. (2022). [Unregistered NDIS providers are in the firing line – but lots of participants have good reasons for using them](#).

⁴ Australian Physiotherapy Association (2023). [National Disability Insurance Scheme \(NDIS\) 2022-23 Annual Pricing Review](#).

participants to ensure dignity of risk, fundamental safety and consumer protection. Useful lessons can be learned here from the practice of many community legal centres which are often founded on principles of empowering clients to understand and exercise their rights.

The NDIS Commission and NQS Framework also do not currently acknowledge other substantial regulatory mechanisms outside the NDIS that already operate to ensure the quality and safety of disability supports provided by allied health practitioners. This overlap in regulatory mechanisms is costly and administratively burdensome, and results in significant inefficiency.

Recommendations

1. Remove duplications in regulatory requirements and/or support a Commonwealth-wide agreement on regulation of profession certification/regulation across health, disability and aged care sectors to improve efficiency.
2. Implement supports to build the capacity of participants and strengthen both their natural and (selective) formal safeguards. This may include:
 - a. Ensuring self-managed participants understand that they need to check the qualifications of providers. One way to easily safeguard this could be to ensure that providers of capacity building supports are members of their self-regulating peak bodies or AHPRA, as this is not currently a requirement.
 - b. Educate participants on available avenues if they are not satisfied with the quality, safety or charges of providers, and how to escalate concerns when issues remain unresolved.
3. Improve the accessibility of the Price Guide and NDIS/NQSC complaints webpage.
4. Ensure safeguarding efforts are more participant-centred and adapted to participant needs. This process will take time and resources to truly empower any consumer of services to be able to make their own choices, and to be confident that they can address any difficulties that may potentially arise in that process (or know where to go to make that happen).

At this crucial time for the National Disability Insurance Scheme, AHPA and member organisations remain available for comment on this important aspect of the quality of services provided.

Kind regards,



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