The NDIS Commission requirements Implications for workers and ‘other personnel’?

# Slide 1



## The NDIS Commission requirements Implications for workers and ‘other personnel’?

# Slide 2

## What we will cover

* The expectations the NDIS Quality and Safeguards Framework has for workers and ‘others’
* Who in your organisation does the Code of Conduct apply to?
* How organisations can help staff to meet these expectations

# Slide 3

## What NDIS Commission requirements have implications for staff

* Provider registration conditions
* NDIS Practice Standards
* Preventing and responding to incidents, including reportable incidents
* Complaint management
* NDIS Code of Conduct, and
* Restrictive practices and behaviour support

# Slide 4

## Provider Registration

Ensure;

* all staff are aware of the supports you deliver and that they have the skills and experience required for delivering those supports
* Staff are able to give accurate information relating to your service provision
* you have a strategy for all staff to complete the mandatory NDIS worker orientation program **‘Quality, Safety and You’**, available on the NDIS Commission website

# Slide 5

## NDIS Practice Standards –staff requirements

* Preventing and responding to incidents
* Complaint system
* Medication administration
* Orientation and induction that includes ‘Quality, Safety and You’
* Where relevant management of waste and hazardous substances
* Sound knowledge of participants needs and preferences
* Meet skills descriptors for High Intensity Daily Personal Activities module

# Slide 6

## Incident management and Reportable Incidents

* Train workers in the use of, and compliance with your incident management system
* Ensure all workers comply with the incident management system and are aware of their roles and responsibilities in identifying, reporting, managing and resolving incidents and in preventing incidents from reoccurring
* Detailed Guidance: Expectations of workers providing services in incident management and reporting incidents [accessible version](file:///\\nds-adf03\ConvAndCollabPrj\2019-2020%20Support%20for%20NDIS%20Providers%20Grant\Administration\accessible%20docs%20-%20Jenny\detailed-guidance-expectations-workers-providing-services-incident.docx)

# Slide 7

## Complaints Management and Incident Management Rules

* Train all workers in the use of, and compliance with your complaints handling system
* Determine the training requirements of staff who will undertake complaint investigations
* Requirements of workers that necessitate well-developed skills and sound judgement
* Advise staff that they can make a complaint on behalf of a person with disability to the NDIS provider or to the NDIS Commission
* Complaints Management and Resolution Guidance [accessible version](file:///\\nds-adf03\ConvAndCollabPrj\2019-2020%20Support%20for%20NDIS%20Providers%20Grant\Administration\accessible%20docs%20-%20Jenny\complaintmanagementresolutionguidance-v21-september2019.docx)

# Slide 8

## Restrictive practice and behaviour support intervention

* Knowledge of positive behaviour support, restrictive practices and risks associated
* Aim to minimise/eliminate the need for restrictive practices

# Slide 9

## Code of Conduct

* Assist and support workers to understand and to meet their obligations under the code
* Establish mechanisms to guide workers about potential ethical dilemmas under the Code
* Code of Conduct: Guidance for Workers [accessible version](file:///\\nds-adf03\ConvAndCollabPrj\2019-2020%20Support%20for%20NDIS%20Providers%20Grant\Administration\accessible%20docs%20-%20Jenny\code-conduct-workers-mar-2019-11%20(2).docx)
* Code of Conduct: Guidance for Service Providers [accessible version](file:///\\nds-adf03\ConvAndCollabPrj\2019-2020%20Support%20for%20NDIS%20Providers%20Grant\Administration\accessible%20docs%20-%20Jenny\code-conduct-providers-march-2019-10.docx)

# Slide 10

## Who does the Code apply to?

The Code and Guidance applies to all people employed or otherwise engaged by NDIS providers to deliver supports and services in the NDIS.

The term ‘workers’ includes, but is not limited to:

* employees
* key personnel such as Directors of the Board
* sole-traders
* contractors
* labour hire personnel
* volunteers
* students on work placement

# Slide 11

## Code of Conduct: What does it cover?

The Code of Conduct cover:

* Individual rights of people with disability
* Privacy
* Safety and competency
* Integrity
* Acting on concerns raised by participants
* Prevention of abuse
* Prevention of sexual misconduct

The Commission’s **explanatory material** and **scenarios** add complexity

# Slide 12

## Staff responsibilities in relation to privacy

Regarding privacy, **workers are expected to explain**:

* the kinds of personal information that will be collected and held, including recorded/audio and visual material
* why this information is held
* who will have access to this information
* how they will ensure the information is secure
* how this information will be used
* how to access and amend information held about them
* how to make a complaint if they feel that the NDIS provider has breached their privacy obligations

# Slide 13

## Staff also have to be confident and assertive

They are expected to challenge authority, relying on whistle-blowers' protections.

One scenario demonstrating individual rights shows a worker expected to:

* + Encourage client to make a complaint to her organisation ‘with her support’
  + Her organisation loses client

In guidance about competently providing supports, workers are advised to:

* + Refuse instructions to do work they don’t feel competent to do
  + Consider making a complaint to the Commission

# Slide 14

## Judgement and self-awareness are required

* The Code of Conduct requires providers to know when a worker has a conflict of interest based on their beliefs and values (potential or real)
* Workers need to identify this upfront to their employer
* They also need to be able to talk sensitively to people with disability about issues such as sex or treatment by another worker (several examples)

# Slide 15

## Q&S Framework components imply a certain meaning of ‘competence’

**Commission sees competence as being more than technical skill**

Other qualities evident in these examples/scenarios include:

* Well-developed skills
* Sound judgement
* Knowledge about the NDIS and broader service context
* Capacity for self-reflection
* Empathy and ability to communicate well
* Responsible professionalism
* Moral integrity
* Confidence and assertiveness

# Slide 16

## Human Resource Management expectations

* Workers are competent and qualified, as relevant to their role
* Records of checks, qualifications and experience are maintained
* Orientation and induction (including mandatory worker orientation) is completed
* Learning and development is tracked and evaluated (a system in place)
* Timely supervision and assistance
* Performance is tracked and evaluated including feedback and development opportunities

# Slide 17

## NDIS Commission Information

* NDIS Quality and Safeguards Commission [Workers page](https://www.ndiscommission.gov.au/workers)
* NDIS Code of Conduct Rules [website](https://www.legislation.gov.au/Details/F2018L00629)
* NDIS Provider Registration & Practice Standards Rules [website](https://www.legislation.gov.au/Details/F2018L00631)
* Quality, Safety and You: [Worker Orientation Module course](https://www.ndiscommission.gov.au/workers/training-course)

# Slide 18

## NDS Information

* NDIS [Quality](http://www.nds.org.au/resources/ndis-quality-and-safeguards) and Safeguards Hub
* [Zero](http://www.nds.org.au/resources/zero-tolerance) Tolerance website

# Slide 19



End of document.