

Safer Services – Review and Action Plan

The aim of this self-assessment checklist is to support providers to understand and comply with their obligations under the [NDIS Code of Conduct](#) (the Code).

The Code applies to all NDIS Providers. It requires providers and their workers to deliver supports which are safe, ethical, appropriate and at all times consider the well-being of people with disability. This includes a commitment to uphold peoples human rights, and to take all reasonable steps to prevent and respond to harm.

This checklist has been designed to assist organisations to evaluate their readiness to comply with the Code and make an action plan of areas for improvement.

It can be helpful to invite a group of stakeholders to contribute, including people with disability, families and support workers to complete this checklist either together or individually.

Instructions

1. Read the NDIS Code of Conduct statements for each area and reflect on what your organisation has in place to meet this obligation. The ‘what this could look like’ box has been provided as a prompt. It does not cover every area but is designed to help you reflect on the types of things which you might expect to see.
2. Consider all evidence available to you - see [Sources of Evidence](#) on page 3.
3. Complete the [Actions and Behaviours](#) column, to record how you meet the statement.
4. Complete the [Evidence](#) column, consider how you would evidence the statement as part of an audit.
5. Complete the [Gaps and Improvements](#) column to identify how you need to improve.
6. At the end, complete the action plan for any [Gaps and Improvements](#) identified. Allocate specific tasks to specific people, include timelines and review dates for completion.



Links to additional resources: Have been provided at the end of each section to assist you with your review.

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Sources of Evidence

There are many sources of evidence for you to consider when working through the self-assessment:

- Feedback from people with disability and their networks.
- Feedback from workers at all levels.
- Your mission statement and organisational values.
- Your policy, procedures, systems and documents for capturing complaints and feedback.
- Your external communications and documents
- Service files for the supports and services you deliver.
- Intake/ induction processes for new people accessing your services.
- Workforce records e.g., HR, induction, training, supervision.
- Registers: E.g., complaints continuous improvement, incidents, risk.
- Agendas and minutes e.g., team meetings, leadership meetings.



1. Act with respect for individual rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions.

- Deliver services in a way that maintains the standards and principles of the NDIS.
- Support people with disability to make decisions.
- Communicate in a form, language and manner that enables people with disability to understand the information and make known their will and preferences.
- Consider the expressed values and beliefs of people with disability, including those relating to culture, faith, ethnicity, gender, gender identity, sexuality and age, as well as disability.

Internal rating

- Always Mostly Sometimes Rarely Never

What this might look like

- People with disability make their own decisions, live the life they choose and decide who supports them, when and how.
- People with disability choose who (if anyone) they want involved in their decision making. Where a person has a decision maker, it is clear what decisions they need to be involved with.
- Supported decision making is used to assist people to make decisions.
- People are informed about all aspects of their service delivery. Policy and guidance are in place to ensure people can question or refuse their service delivery. Concerns about service delivery are responded to.
- Information about services is available in different formats to meet the communication needs of people with disability, such as plain English, Braille and Auslan. Policy and guidance are in place for how to access translating and interpreting services.
- People are supported consistently, by workers who have been matched to them. When matching workers, communication, language, culture and support needs are considered. The supports provided and activities undertaken are reflective of people’s preferences and cultures.



- Workers are trained:
 - in Human Rights and they collaborate with people with disability to overcome any barriers to upholding their rights. to communicate in a form that is accessible and appropriate for each individual and to have conversations in a culturally sensitive way.
 - in how to support people to make decisions about their lives.

Internal Rating Plan

Internal Rating	Reason for rating	Gaps Areas for Improvements	Who will action	By when	Completed
					<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Partial
					<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Partial
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Resources

- Supported decision making: [Deciding With Support: Holistic supported decision making toolkit - Flinders University](#) and [Supported Decision Making- WAIS](#)
- NDS Sector Readiness Effective Organisational Communications: <https://www.nds.org.au/resources/all-resources/nds-quality-and-safeguards-sector-readiness-project-resources-and-tools#EffectiveOrganisationalCommunication>
- NDS Zero Tolerance Resources <https://www.nds.org.au/resources/all-resources/zero-tolerance>
- NDS Sector Readiness Human Rights Train the Trainer resources on the [NDS Quality and Safeguards Sector Readiness Project - Resources and Tools webpage](#)



2. Respect the privacy of people with disability

- Comply with Commonwealth and State and Territory privacy laws
- Deliver services in a dignified way that maintains personal privacy

Internal rating

Always Mostly Sometimes Rarely Never

What this might look like

- Personal information is stored securely and legally.
- Highly sensitive records, such as medical records or records which could impact a person's reputation, are stored with restricted access.
- Policy and guidance are in place which guide workers on:
 - what information to store, how to store it, and for how long.
 - how to uphold people's dignity in personal supports.
- Procedures are tested and audited through internal checks.
- People with disability know:
 - what information is collected about them,
 - who has access to this information,
 - when information could be disclosed about them without consent and
 - how to make a complaint.
- People who receive sensitive or personal supports are asked their preferences. This is included in support plans and guidance to workers.
- Workers are trained in maintaining personal dignity, choice and control in the delivery of supports.

Internal Rating Plan

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Resources

For information on Privacy and Freedom of Information: <https://www.oaic.gov.au/>

For information on the Australia Privacy Principles: <https://www.oaic.gov.au/privacy/australian-privacy-principles/australian-privacy-principles-guidelines>

NDS Sector Readiness Internal Audit resources on the [NDS Quality and Safeguards Sector Readiness Project - Resources and Tools webpage](#)



3. Provide supports and services in a safe and competent manner, with care and skill

- Ensure workers have the necessary training, competence and qualifications for the supports and services delivered
- Provide services consistent with relevant professional codes
- Maintain appropriate and accurate records and follow security procedures
- Hold appropriate insurance

Internal rating

- Always Mostly Sometimes Rarely Never

What this might look like

- Recruitment of support workers includes screening for appropriate skills, experience, qualifications.
- Workers understand choice and control over supports and services is a right and work together with people with disability to understand and uphold their choices.
- Training is cyclical and monitored to ensure it is kept up to date. Workers are provided training:
 - to meet all mandatory training requirements in the NDIS Practice Standards.
 - specific to the needs of the individuals they support, and the services being delivered.
 - about maintaining records, what information should be recorded, when and how.
- Workers receive supervision which supports them to develop in their role and identifies any gaps or areas of learning.
- Workers never deliver supports to people with disability without the necessary training. Policy and guidance are in place for workers to confidentially report if they are asked to deliver supports, they are not trained to deliver.
- Workers who are members of professional associations (e.g., APRHA) deliver services consistent with their professional codes. They are provided support to comply with registration requirements.
- File audits are regularly completed to ensure:
 - information is up to date and accurate and supports continuity of services,
 - issues, incidents, complaints and allegations are recorded, including the responses and outcomes.
 - does not breach privacy or include use of unprofessional language.
 - is stored appropriately and in line with legislation.
- Appropriate insurance is assessed and in place and insurance reviews and renewals are part of the organisation’s audit schedule.



Internal Rating Plan

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Try these resources as a starting point.

- For information on the different types of insurance: [NDS Insurance Management](#).
- NDS toolkit: [Value based recruitment](#)
- NDS support worker e learning: [Human Rights and You](#)
- NDIS Workforce Capability [Supervising for Capability](#)



4. Act with integrity, honesty and transparency

- Recommend and provide supports and services appropriate to the needs of the participant
- Maintain integrity by declaring and avoiding any real or perceived conflicts of interest
- Avoid engaging in, participating in or promoting sharp practices

Internal rating

Always Mostly Sometimes Rarely Never

What this might look like

- People with disability are provided with clear information about the cost of services in an easily understood format, appropriate to the individual.
- Services are only recommended:
 - if they meet the needs of the person. Where there are gaps in service delivery, these are disclosed, and alternatives are sourced.
 - if an adequate number of appropriately trained workers are employed to deliver them consistently and effectively. If there have been issues with the effectiveness of services, these are disclosed.
- Conflict of interest (COI) are managed carefully by the organisation:
 - Policy and guidance are in place for the organisation and its workers are trained.
 - A COI register is maintained, regularly reviewed and updated.
 - Potential or real (COI) - which could impact on a person’s service delivery - are documented and managed.
 - Workers are required to avoid or, where not possible, disclose COIs at recruitment and ongoing.
 - Financial and commercial organisational relationships are reviewed regularly to ensure a COI has not developed.
- Sharp practices are not used. The organisation monitors to ensure:
 - Funds are only used by the organisation as per the person’s NDIS plan or in line with the self-management guidelines.
 - Service agreements are in place, detailing how the funding will be used.
 - People who are funded by NDIS receive the same services for the same price as people who are not funded by NDIS.
 - Where there is a variation, that cost is discussed, and reasons detailed in the service agreement.
 - Reasonable changes or amendments to funded services are discussed in advance with participants.
- Workers are trained in what a sharp practice is, and the impact they have on people with disability.



Internal Rating Plan

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For information and resources

- [NDS Sector Readiness Conflict of Interest resources](#)
- [NDIS Code of Conduct Guidance for Workers](#) and [NDIS Code of Conduct for providers](#) provide examples of conflict of interest and sharp practices.



5. Promptly take steps to raise and act on concerns about matters that may impact the quality and safety of supports and services provided to people with disability

- Foster an environment where people with disability, their families, carers, advocates and workers feel safe to make a complaint or report issues
- Operate effective complaints and incident management systems
- Undertake investigative and disciplinary action and comply with
- external investigations

Internal rating

Always Mostly Sometimes Rarely Never

What this might look like

- The human rights of people with disability are central to the values of the organisation, its policies and guidelines.
- Complaints and incidents are responded to quickly and effectively and workers at all levels see them as an opportunity to improve a person's experience of services.
- People with disability and their support networks (where appropriate) are included in the development and review of complaints and incidents policy and guidance.
- Complaints procedures are clear and have an accessible process, a public facing process (for examples through a public facing website) and processes to make complaints confidentially. They are provided to workers and people with disability.
- Incident procedures include how the organisation works to identify, assess, manage and resolve incidents to minimise the impact to those involved, including guidelines for when and how to investigate.
- Workers at all levels are trained in responding to complaints and incidents. Workers are encouraged to provide feedback on the policy and guidelines and how they work in practice.
- Complaints and incidents are documented, including the outcomes. They are monitored for patterns or emerging issues and ways the organisation can improve.
- People with disability are aware of their right to complain, the importance of raising issues and the process of how to raise issues and connect with an advocate where needed. This is discussed regularly through the meetings and touchpoints.
- People with disability and workers involved in incidents, are supported, involved in solutions or outcomes and asked for feedback on how the incident was managed. Their feedback is responded to and used to improve.
- Complaints management and incident management systems meet the NDIS Practice Standards quality indicators.

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For information and resources

- NDS Sector Readiness Risk Incidents and Complaints - [NDS Risk Incidents and Complaints Resources](#)
- NDS Risk Incidents and Complaints - [Incident Management Resources for Staff Training](#)
- People with disability or the people who support them can use Ask Izzy to search for independent Disability Advocacy providers in their area: <https://askizzy.org.au/disability-advocacy-finder>



6. Take all reasonable steps to prevent and respond to all forms of violence, exploitation, neglect and abuse

- Commit to eliminating any form of violence, abuse, neglect and exploitation.
- Identify and respond to incidents of violence, abuse, neglect and exploitation, and report these to the NDIS Commission and, as appropriate, to other relevant authorities.
- Reduce and eliminate restrictive practices.

Internal rating

Always Mostly Sometimes Rarely Never

What this might look like

- Policy and guidance are in place for workers and they receive training in:
 - preventing and responding to all incidents of violence, abuse, neglect and exploitation including immediate safeguarding actions, reporting timelines, who to report to and responses if a criminal act is alleged.
 - restrictive practices and prohibited practices, the risk they present to people, what to do if a restrictive practice occurs, how and when to report.
- Regular discussions are held with the workforce on:
 - understanding and eliminating abuse, including ways in which people with disability are at risk in services and ways they can limit the risk of this occurring in their role.
 - reducing and eliminating restrictive practices including understanding they are a breach of Human Rights.
 - the organisations policies and guidance.
- Workers know what to do if an incident:
 - of violence, abuse, neglect and exploitation is identified, including immediate actions to safeguard the person.
 - involving a restrictive practice occurs, including procedures in place for supporting the person and reporting.
 - involving safety or abuse has not been managed appropriately by the organisation.
- Incidents which involve abuse, trigger an investigation to consider ways to reduce any future risk of abuse.
- People with disability and workers are aware of how to raise issues, concerns or complaints. Processes to raise issues are accessible and have the option to raise them anonymously. Support mechanisms are in place to access advocacy and support if harm or trauma has been caused.
- Providers who deliver supports which may involve restrictive practices, are registered to provide them and have policies and guidelines in place which align with NDIS Commission Restrictive Practices and Behaviour Support Rules.

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Resources for organisations and workers

- [WAAMH NDIS Readiness Workbook](#): Assisting Psychosocial disability service providers to comply with the NDIS Quality and Safeguarding Commission’s requirements, from a Recovery-Oriented and Trauma-Informed perspective.
- NDS: [Zero Tolerance Resources](#)
- 1800 Respect Disability Support Toolkit [Disability Support Toolkit | 1800RESPECT](#)
- NDIS Commission: [Code of Conduct for workers](#) and [Worker training modules and resources](#)



7. Take all reasonable steps to prevent and respond to sexual misconduct

- Have in place clear guidance for staff behaviour.
- Operate effective processes for dealing with sexual misconduct.

Internal rating

Always Mostly Sometimes Rarely Never

What this might look like

- Policy and guidance are in place to prevent and respond to sexual misconduct.
- Workers at all levels are trained in:
 - preventing and responding to sexual misconduct,
 - identifying and reporting alleged sexual misconduct,
 - expected behaviours and professional boundaries of workers,
 - unlawful or physical conduct or inappropriate relationships.
 - the organisation's policies, procedures and processes and how to respond should an incident occur.
 - when to report to the NDIS Commission, police or child protection authorities.
- Guidance includes specific detail including:
 - when conversations are of a sexual nature,
 - appropriate boundaries,
 - appropriate and inappropriate touch, and
 - what to do if a relationship has become inappropriate.
- People with disability and their networks (where appropriate) are provided guidance around appropriate behaviour and relationships.
- Resources, information and guidance is provided to people with disability and their networks (where appropriate) to ensure they are aware of how to report and they are safe to do so. These processes are accessible and where required can be done anonymously.
- Support mechanisms are in place to access advocacy and support if harm or trauma has occurred.

Internal Rating Plan

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Resources for people with disability

- NDIS Commission resources for participants: [Speak up resources](#)
- Your Service, Your Rights workshops: [Your Service, Your Rights – Inclusion Australia](#)
- Picture-based and written in easy English on a range of topics in sexuality and health: [Resources - SECCA](#)
- Scope and Vic Gov - [Speak Up and be Safe from Abuse](#)



Please note: This tool was last updated in January 2024. National Disability Services Limited (NDS) believes that the information contained in this publication is correct at the time of publishing. However, NDS reserves the right to vary any of this publication without further notice. This resource will need to be adapted to meet the specific needs of your organisation and the people who use your services. The information provided in this publication should not be relied upon instead of other legal, medical, financial, or professional advice. Please always refer to online documents for latest versions including the NDIS Practice Standards.

