

NDIS Worker Check

Who does what?

The NDIS Quality and Safeguards Commission (the NDIS Commission) sets the requirements for providers, including worker screening requirements. The NDIS Commission is responsible for:

- What types of checks are required
- Which workers need a check
- When a check is required.

The States and Territories are doing the screening of workers. In NSW, NDIS worker screening is called the NDIS Worker Check (NDISWC). It is performed by a new screening unit in the Office of the Children's Guardian. We are responsible for:

- Helping you apply for an NDISWC
- Assessing applications
- Issuing a clearance or an exclusion.

Who needs NDIS worker screening?

Workers in **risk assessed roles** employed by **registered providers** need to have an NDIS worker screening clearance (or an acceptable check). It is the responsibility of registered providers to determine which roles in their organisation are risk assessed roles. This means workers:

- That have more than incidental contact with NDIS participants, or
- That are key personnel, or
- Involved in the direct delivery of specified services or supports.

Self-managed participants may also decide to only employ workers that have an NDIS worker screening clearance.

Refer to the NDIS Commission for more detail on these requirements and advice relevant to your circumstances.

What is an ‘acceptable check’?

Most existing workers should be able to work in the NDIS using an existing acceptable check **until it expires**. An acceptable check is either:

- A national criminal history check, **and** the worker has no convictions for offences prescribed in Schedule 2 of the Disability Inclusion Act 2014 (NSW), or
- A Working With Children Check (WWCC) clearance, **if you are** engaged in child-related work.

A worker who is **not** engaged in child-related work (working only with adults in the NDIS) is unable to use a WWCC clearance as an acceptable check for the NDIS. They must have a national criminal history check or an NDISWC. Child-related work is defined under the Child Protection (Working With Children) Act 2012 (NSW). It includes:

- Providing services to people under 18 years, and
- Work involving direct contact with children (more than incidental contact), and
- Respite care or other support services primarily for children with disability.

Refer to the Office of the Children’s Guardian for more detail on the requirements for working with children.

Refer to the NDIS Commission for more detail on the requirements for criminal history checks and NDIS worker screening advice relevant to your circumstances.

When do you need the new NDISWC?

An NDISWC will be required from 1 February 2021 for:

- A new worker who is working in a risk assessed role, or
- An existing worker that is moving into a risk assessed role, or
- An existing worker who has a WWCC, but is not in child-related work, or
- An existing worker who is supervising new workers (see below), or
- An existing worker when their acceptable check is about to expire.
 - WWCCs are valid for five years from when they were issued. Check your WWCC to see when it expires.
 - Criminal history checks conducted before 1 July 2018 are valid for four years.
 - Criminal history checks conducted after 1 July 2018 are valid for two years.

Refer to the NDIS Commission for more detail about when an NDISWC or an acceptable check is required, and advice relevant to your circumstances.

When can you start work in the NDIS?

You can work in the NDIS in a risk assessed role if you have:

- A valid acceptable check, or
- An NDISWC clearance, or
- An NDISWC application (other requirements apply – see below).

Workers can start work on an NDISWC application if:

- Their NDISWC application has been verified by their employer, and
- They have not been issued with an Interim Bar, and
- They are supervised by someone with an NDISWC clearance, and
- Their employer has a risk management plan in place.

Refer to the NDIS Commission for more detail about working on an NDISWC application, and advice relevant to your circumstances.

This means a **supervisor** must have an NDISWC clearance to supervise a worker who is working on an NDISWC application (unless the worker already has an acceptable check). It is not sufficient for a worker to be supervised by a person with an acceptable check.

Note: States and Territories may have additional NDIS worker screening requirements (in addition to the NDIS Commission's requirements). For example, they may require workers to have a clearance before they can start work (that is, workers cannot work on an NDISWC application in some States). **NSW does not** have additional NDIS worker screening requirements. This means workers can work on an application in NSW if the NDIS Commission's requirements are met.

Do you still need a national police check?

To work in a risk assessed role, you need an acceptable check or an NDISWC. You **do not need both**. This means, to meet the NDIS Commission's requirements, you will no longer be required to undertake a national criminal history check once you have an NDISWC clearance. The NDISWC will replace the requirement to undertake national criminal history checks.

However, employers may have **their own requirements** for workers to undergo a national criminal history check. In addition, if you work in non-NDIS related roles (such as, the aged care sector) you may be required to undergo a national criminal history check for those other roles. These would be **in addition** to the NDIS worker screening requirements set by the NDIS Commission.

Do you still need a WWCC?

The requirements for working with children are set by each State and Territory (not the NDIS Commission) and vary across Australia. These requirements are in addition to any NDIS worker screening requirements. You should **confirm the requirements** for working with children for the State or Territory in which you are working.

In NSW, workers may need an NDISWC and a WWCC (they are separate checks). Generally, if you are:

- Doing child-related work outside of the NDIS (not providing NDIS services or supports), then you need a WWCC only. The Office of the Children's Guardian can advise you on these requirements.
- Working only with adults (not child-related work) to provide NDIS services, then you need an NDISWC only. The NDIS Commission can advise you on these requirements.
- Doing child-related work to provide NDIS services, then you need an NDISWC and a WWCC. This means you will need to apply for an NDISWC and reapply for your WWCC when it is about to expire.

Note: child-related work is defined in the NSW Child Protection (Working With Children) Act 2012. It includes:

- Providing services to people under 18 years, and
- Work involving direct contact with children (more than incidental contact), and
- Respite care or other support services primarily for children with disability.

How do you apply for an NDISWC?

There are three steps to apply for an NDISWC:

Step 1 – **Apply online** at www.service.nsw.gov.au/ndiswc

Step 2 – Visit a **Service NSW centre** within 14 days (2 weeks) of applying online to pay the fee (\$80 or free for volunteers), present your identity documents and have your photo taken.

Step 3 – At least one NDIS **employer verifies** your application via the Commonwealth’s NDIS Worker Screening Database portal.

You will be able to view your NDISWC and update your details via your MyServiceNSW account. Refer to the NDISWC website for more information about applying.

What do you need to apply for an NDISWC?

To complete the NDISWC online application, you'll need:

- Your **MyServiceNSW account** login and password. If you don't have one, you can easily create one. Visit the Service NSW website to create an account.
- Four **identity documents** (originals - not photocopies, photos or scans). Such as an Australian driver licence (or photo card), Australian passport (or birth certificate or Australian visa), Medicare card and a utility bill (phone, internet, electricity, gas, water).
- Your employer's worker screening **registration name** or number with the NDIS Commission. Your employer/s should provide you with this.
- Your current and **previous addresses** (if applicable) for the last 5 years.
- Your current and **previous names** (if applicable) used throughout your life.
- Your **email** address and phone number.

Refer to the NDISWC website for more information about applying.

How does my employer verify my application?

When you apply online, you need to select your NDIS employer/s. After you visit the Service NSW centre (Step 2 of the application process), we will ask your employer/s to verify your application (Step 3 of the application process).

Your employer has **30 days to verify** your application. They need to do this via the Commonwealth’s NDIS Worker Screening Database portal. Your employer will need to arrange (or should already have) access to the database portal with the NDIS Commission.

Your application will not be assessed by us until it has been verified by **at least one** NDIS employer. If your application is not verified by **any** employer/s within 30 days, we will notify you and your application may be cancelled.

Refer to your employer and the NDIS Commission for more detail on these requirements and advice relevant to your circumstances.

Where can I use my NSW NDISWC?

If you apply for an NDISWC in NSW, it is **portable across Australia**. Your NDISWC number is a national number. Your details are registered on the NDIS Worker Screening Database (administered by the NDIS Commission).

This means if you have an NDISWC clearance from NSW, you can use it anywhere in Australia. Similarly, if you have an exclusion, it applies across Australia.

Remember, States and Territories may have additional NDIS worker screening requirements (additional to the NDIS Commission's requirements). And the requirements for working with children and other vulnerable people vary across Australia. While your NDISWC is portable, you should **confirm if any additional requirements** apply for the State or Territory in which you are working.

Where do you get more information?

- **NDIS Quality and Safeguards Commission**

www.ndiscommission.gov.au

1800 035 544

- **Office of the Children's Guardian – NDIS Worker Check**

Service NSW hosts our NDISWC information website and online application, and manages our customer queries.

www.service.nsw.gov.au/ndiswc

13 77 88

- **Office of the Children's Guardian – Working With Children Check**

www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check

(02) 8219 3777

Office of the Children's Guardian

Email: contact@ndiswc.nsw.gov.au Web: www.service.nsw.gov.au/ndiswc and www.kidsguardian.nsw.gov.au

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