



NDS Response to the NDIS Review: Building a more responsive and supportive workforce – early findings and proposals.

About National Disability Services

National Disability Services (NDS) is Australia's peak body for non-government disability service organisations, representing more than 1100 non-government service providers. Collectively, NDS members operate several thousand services for Australians with all types of disability. NDS provides information and networking opportunities to its members and policy advice to State, Territory and Commonwealth governments. We have a diverse and vibrant membership, comprised of small, medium and larger service providers, supporting thousands of people with disability. Our members collectively provide a full range of disability services, from supported independent living and specialist disability accommodation, respite and therapy, to community access and employment. NDS is committed to improving the disability service system to ensure it better supports people with disability, their families and carers, and contributes to building a more inclusive community.

About this submission

NDS welcomes the opportunity to respond to the early findings outlined in the NDIS Review: *Building a more responsive workforce paper* (the paper). The paper identifies three key workforce issues and proposes some ideas for addressing these issues. This submission draws on recent input into the Care and Economy Strategy, data from our most recent Workforce Census and member consultation to provide some additional commentary on the issues identified as well as making recommendations as to ways forward.

Findings identified in the paper

Finding 1: Meeting future workforce needs will require coordinated action across the care and support sector.

NDS strongly agrees that coordinated action is required to meet future workforce needs across the care and support sector. Although there are nuances between each of these component sectors, there are also many common skillsets which draw upon the same pool of workers. At a time when Australia's population is ageing, the unemployment rate sits at a historical low and birth rates continue to decline, care and support sectors must act in a cooperative rather than competitive manner in order to attract and retain suitable workforce into the future.

The NDIS has grown at a rapid rate, with more than 610,000 participants with approved plans as of June 2023¹. The number of participants rose by 14 per cent during the 2022-23 financial year, contributing to the 250 per cent increase in participant numbers since 2018.

The disability sector remains one of the fastest growing sectors in Australia. As part of the health and social services sector, it is the largest employer of Australians. When combined with the broader services sector accounts for approximately 70 per cent of Australia's economic output.²

The health care and social assistance sector recorded the most significant growth of any sector in the 20 years to February 2020 (with employment more than doubling) and represented the largest industry of employment in the ABS 2021 Census.³ Around 14.8 per cent of workers report their main job is in this industry.

The disability sector workforce remains one of the fastest growing workforces in Australia. Within the next three years it is estimated that an additional 128,000 workers (or a 40 per cent increase in current workforce size) will be required to meet NDIS demand.⁴ This challenge is compounded by high turnover rates which see many workers leave the sector each year. It is anticipated that the disability sector will lose between 198,000 to 292,000 workers by 2025.⁵

¹ National Disability Insurance Agency (NDIA) (2023), Quarterly Report to disability ministers (30 June 2023). Accessed 17 August 2023.

² Wood, D. (2022). Think big: a new mission statement for Australia. Grattan Institute. Accessed 20 July 2023.

³ Australian Bureau of Statistics (2021), Employment in the 2021 Census. Accessed 11 August 2023.

⁴ NDIS Review (2023), Building a more responsive and supportive workforce. Accessed 3 June 2023.

<https://www.ndisreview.gov.au/resources/paper/building-more-responsive-and-supportive-workforce>

⁵ Ibid

Finding 2: New approaches are needed to attract and retain capable staff to the care and support sector to address workforce challenges.

The NDIS National Workforce Plan: 2021-2025 recognises the connection between workforce attraction and retention and current NDIS pricing approaches (Priority 11)⁶. NDS has consistently highlighted in submissions to the NDIS Annual Pricing Review and other government consultations that the assumptions underpinning the Disability Support Worker cost model do not support best practice measures to attract and retain workers.

NDS conducted its Workforce Census survey in March and April 2023, collecting workforce data for the 2022 calendar year. It is the most comprehensive and up to date dataset available reporting on issues and trends within the disability workforce.

This year's survey had a record number of responses from 437 providers across Australia (from a sample size of just over 2000 providers delivering disability supports and employing disability support workers and/or allied health workers who work in the disability sector).

The results of the NDS Workforce Census indicate that, although the worsening conditions of recent years have stabilised, the disability sector workforce remains precarious. There is continuing undersupply and higher turnover rates than the national average. Respondents describe difficulties hiring workers across all categories and recruitment and retention remain a major challenge.⁷

The percentage of staff in permanent roles remained relatively stable over the last three years at 59 per cent and the proportion of casual staff grew to 39 per cent. For permanent employees, part-time employment continued to be very high (80 per cent) and this trend has stayed relatively stable since 2017.

Turnover for permanent staff decreased slightly from 13 per cent to 11 per cent in the six months from July to December 2022. Similarly, the casual turnover rate decreased from 26 per cent to 22 per cent.

In terms of overall change in the workforce, organisations reported that they recruited 15,360 people and in the same period 13,276 people left their employment. This is a net gain of 2084 positions over the six months from July to December 2022. This figure may be misleading, however, because the overwhelming majority of this net change was accounted for by a very large growth in casual disability support worker positions, with a decline in some other employment types (permanent and fixed disability support workers and permanent allied health professionals).

⁶ Department of Social Services (2021), NDIS National Workforce Plan: 2021 – 2025.

<https://www.dss.gov.au/disability-and-carers-publications-articles/ndis-national-workforce-plan-2021-2025>
Accessed 17 August 2023.

⁷ National Disability Services (2023). NDS Workforce Census Report 2023. Accessed 20 June 2023.
<https://www.nds.org.au/resources/all-resources/nds-workforce-census-key-findings-report>

We are hopeful that this growth in casual disability support worker positions may eventually lead to growth in permanent positions, stabilising a growing workforce and delivering greater continuity of care for people who need services.

Finding 3: More focus on peer workers will improve the quality of support provided across the care and support sector.

NDS endorses this finding of the NDIS Review, along with the recommendation of the Joint Standing Committee into the NDIS (JSCNDIS) “that the National Disability Insurance Agency develop, publish and implement a peer workforce strategy, co-designed by people with disability and peak bodies”.⁸

NDS has researched some of the models used in the mental health sector and is hopeful that these could be tested in the disability sector through a pilot project funded by the Information, Linkages and Capacity Building (ILC) grants program. An even longer term view might be to test whether there are specific training supports that could be developed toward a qualification similar to the Certificate III/IV in Mental Health Peer Support. This would build upon the learnings and resources from the NDIS Peer Support project led by the Australian and New Zealand School of Government (ANZSOG), which focused on participant experiences with community advocacy organisations rather than direct service providers.⁹

NDS is very keen to explore avenues to fulfil the recommendation of the JSCNDIS by representing the industry and disability service providers in collaboration with NDIS participants, with the aim of further developing a model for peer support in disability services.

⁸ JSCNDIS (2020) *NDIS Workforce Interim Report*.

https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/National_Disability_Insurance_Scheme/workforce/Interim_Report. Accessed 16/08/2023.

⁹ University of NSW (2019) *NDIS Peer Support Final Report*.

<https://unsworks.unsw.edu.au/fapi/datastream/unsworks:60195/bin185df215-43d7-444a-a1ba-b6192745fbbb?view=true&xy=01>. Accessed 17/08/2023.

Recommendations

Recommendation 1: Design and trial workforce attraction and retention initiatives

The Australian Government, supported by the care and support economy taskforce, should work with states and territories to design and trial initiatives for the care and support sector to better understand what works.

These initiatives should include designing and trialling in close consultation with care and support workers, employers and participants/clients:

- portable training scheme in close consultation with care and support workers, employers and participants/clients
- portable sick and carer's leave scheme.

Both these trials should give consideration to the system infrastructure, eligibility criteria and funding approach that would ensure benefits exceed costs and the scheme would be widely adopted.

The 2022 NDS State of the Disability Sector (SoTDS) report highlighted that training and development of workforce is a key facilitator to workforce retention. For portable training to deliver positive outcomes for workers and NDIS participants, it should be funded outside of participant plans and codesigned with providers so that it is accessible and fit-for-purpose.

Portable training

Disability workers and employers consistently report that training and development opportunities in the sector are limited. Workers cite lack of support and supervision as a reason for leaving the workplace.¹⁰ Providers want to offer workers a living wage and career pathways (including training and development) but are constrained by the pricing approach in the NDIS disability support worker cost model and an uneven regulatory environment which undermines investment in training. Research recognises the importance of supervision for service quality, coaching, worker wellbeing and retention.¹¹

The cost modelling that underpins NDIS pricing allows for little or no training and supervision cost recovery. Providers report that the issue is not as much about the cost of training courses, but the periphery costs around training such as backfilling of

¹⁰ Cortis, N. and van Toorn, G. (2020) Working in new disability markets: A survey of Australia's disability workforce Sydney: Social Policy Research Centre, UNSW Sydney

¹¹ McKenzie, Karen, Metcalfe, Dale, Whelan, Kathryn and Mcnall, Anne (2021) *Improving recruitment and retention in learning disability services*. Nursing Times, 117 (4). pp. 26-29

shifts to allow workers to attend training, direct supervision of new skill sets, and supernumerary shift allocation to support implementation in a manner that is consistent with individual participant needs and preferences. Making matters worse, high rates of workforce turnover means this investment has inefficiency risks which providers find difficult to manage. NDS members have consistently shared significant anecdotal feedback that workers stay with medium or large providers to receive training and gain familiarity with participant support, then resign to work independently under an ABN, with no further oversight of whether the services they provide are within scope of the NDIS Practice Standards.

NDS workforce projects such as the Entry to Care Roles program have reinforced that training should be place-based and relevant to the needs of participants and their providers.¹² The position of NDS is therefore that government should work closely with providers to understand which underlying skills and competencies are universal and portable, and which training should be delivered through the provider, based on participant needs and accompanied by supervision in practice.

Any portable training trial must accommodate these nuances through a blended pricing model which recognises the difference between basic/portable training and training that is specific to participants/providers. Providers also require clear visibility of each worker's skills and competencies to identify skills gaps for recruitment, their capacity to offer certain services to participants, and to support appropriate rostering in line with participant needs and preferences. Any scheme that assigns responsibility for training decisions solely to workers creates the risk that these training choices will not be appropriate to the place, provider or participants that workers are required to deliver services to.

Portable leave entitlements

The SoTDS report also noted that barriers to workforce retention include casualisation of roles, working for multiple employers and the attraction of working solo in unregistered ABN work. With respect to any portable leave entitlement scheme, NDS calls on government to work with NDIS providers to tackle the substantive issues of workforce attraction and retention, rather than risk entrenching these issues within unwieldy systems.

NDS has examined a proposed model for portable leave entitlements published by the McKell Institute.¹² This proposed most forms of leave entitlements (annual leave, sick leave, long service leave and others) to be portable between employers and be administered by an external government agency. The McKell report acknowledges

¹² McKell Institute (2013), The Case for a National Portable Long Service Leave Scheme in Australia, https://mckellinstitute.org.au/wp-content/uploads/2022/02/McKell_Portable_LongService.pdf. Accessed 21/06/2023

that “transience is an undesirable feature of the system for scheme participants” (p.32) as the accrued knowledge relating to an individual NDIS participant’s needs is essential to providing impactful care or support. NDS strongly agrees with this statement and is concerned that such a scheme would facilitate, rather than alleviate, workforce retention pressures by removing numerous benefits for workers to stay with a provider (and by extension, NDIS participants). The McKell model proposed that the scheme would only apply to “registered NDIS workers” (without defining this) whilst “NDIS unregistered workers” would operate outside of the scheme (p.31). Given the existing tension between NDIS registered providers competing with unregistered providers (operating without regulation and associated costs), NDS is concerned to see a proposal which embeds further obligations that only apply to one class of NDIS provider.

Any cost-benefit analysis of portable leave entitlements should also examine the impact on non-financial aspects such as the ability for providers to forecast workforce supply, through visibility of worker’s leave balances, and to allow for discussions with workers on leave planning/forward rostering. A significant range of disability sector workers should be independently consulted on the design of any scheme and the impact it would have upon factors such as casual loading rates, and whether a scheme would make the sector more attractive, with transparency of the regulatory environment such a scheme would be adopted within. This latter point is important to ensure that consultation with workers makes clear whether or not it would still be an option to work independently through their own ABN.

The NDIS Review examined portable leave entitlement schemes, such as the portable long service leave schemes operating in Queensland, Victoria and the ACT. Notably, although these schemes aim to increase workforce retention, the NDIS Review could not find any robust evidence showing these schemes support worker attraction and retention.¹⁴ The 2023 NDS Workforce Census showed that workforce retention in Queensland, Victoria and the ACT was relatively in line with the national average of survey respondents – with some rates slightly above or below average for casual or permanent workers.

NDS members have consistently indicated they are struggling with sustainability and market risks associated with the NDIS, such as registered providers competing with unregistered providers in a fixed-price setting, a worker-cost model that does not fully compensate the cost of regulation or delivering training and supervision, severe workforce shortages and burnout. On top of this we have concerns regarding the timing and operation of a portable leave entitlements scheme at a time when the sector is working through some of the largest reforms in its history, through the ongoing transformation of the NDIS and the soon to be tabled recommendations of the Disability Royal Commission. Even if a cost-benefit analysis of a portable leave scheme was found to be somehow favourable to the sector, a pressing issue

remains regarding the need for prioritisation and orderly progression of changes affecting the disability sector.

Recommendation 2: Develop targeted and flexible migration pathways for care and support workers.

The Australian Government should consider developing an industry labour agreement for the broader care and support sector targeted at workers who would not otherwise qualify for skilled migration. This industry labour agreement should be developed in consultation with industry and relevant employer associations and unions.

The agreement should be reviewed within five years to ensure the agreement is flexible and responsive to changing labour market conditions. This agreement should also consider appropriate requirements to attract migrants with suitable skills, values and attitudes. This could include minimum skills and language requirements. A streamlined pathway to permanent residency should also be considered.

NDS supports the use of more targeted and flexible migration pathways for care and support workers, and has worked with DFAT and DEWR to help link providers in our sector with the Pacific Australian Labour Mobility (PALM) Scheme. While NDS believes our focus should be on developing and fostering the workforce already onshore, NDS acknowledges the severe labour shortage, and that targeted migration may help. Eighty per cent of respondents to the 2022 SoTDS survey reported that they had received requests for disability services they had been unable to provide, with the predominant cause being lack of workforce.

At present, disability support work does not qualify for skilled migration pathways for two reasons: one being the recent increase of the Temporary Skilled Migration Income Threshold to \$70,000 per annum, and the other being the absence of an entry qualification or formal skill set to enter the skilled occupation list.

In the context of “coordinated action across the care and support sector”, NDS would like to see government explore options such as a Care and Support Visa class, or a new Industry Labour Agreement that covers all care and support roles. In New Zealand, the Care Workforce Work to Residence Visa allows individuals aged under 55 years to live, work and study in New Zealand indefinitely if the visa holder works for an accredited aged care or disability provider.

Australia recently developed the Aged Care Industry Labour Agreement, which allows providers to sponsor overseas workers for the Temporary Skill Shortage (subclass 482) visa in direct care occupations including “Aged and Disabled Carer” (ANZSCO occupation code). To access the Aged Care Industry Labour Agreement, providers must first enter an MoU with a relevant union. NDIS providers have enquired with unions about entering into an MoU to access employer sponsorship through the Aged Care Industry Labour Agreement (given the ANZSCO occupation code covers the disability workforce), however unions have confirmed that they will

only enter into an MoU with registered aged care services. An expanded or new Industry Labour Agreement to cover the disability sector should be explored.

When NDS members further explored the PALM Scheme to access workers from Pacific nations, it became evident that a potential roadblock to migration pathways into the disability sector is the NDIS Worker Screening Check. To apply for this clearance, an individual must submit primary identification documentation (such as a passport), along with a “Category B” identification such as a Medicare card or Australian driver licence. Category B documents demonstrate that a person lives in the community using the name shown on their primary identification. The conundrum is that to be approved for a work visa, a worker must have an offer of employment; NDIS providers would only make an unconditional offer of employment to a worker with a valid NDIS Worker Screening Check; to apply for the NDIS Worker Screening Check a worker must already reside in Australia; but to enter Australia for work, an individual would require a valid work visa. This is one of several modifications to the NDIS Worker Screening Check process covered below, under Recommendation 4.

There are a limited number of NDS members using Designated Area Migration Agreements with a regional, state or territory authority to provide access to more overseas workers than the standard skilled migration program. Experiential feedback from providers using this avenue is positive, with a stable workforce and higher staff retention. These employer sponsorship programs are based on recruiting onshore (within Australia), mainly attracting migrants who completed studies in locally and have at least 1-2 years' work experience, along with a clear NDIS Worker Screening Check or the ability to apply for one.

The 2023 Federal Budget announced that international students working in the aged care sector would not be subject to a fortnightly working hour cap until 31 December, whereas those working in the disability sector have been restricted to working 48 hours per fortnight since 1 July 2023. NDS calls on government to take a flexible and coordinated approach across the care and support sector to help ease the burden of providers who are struggling to find workers to deliver services to NDIS participants.

Recommendation 3: An integrated approach to workforce development for the care and support sector.

The Australian Government, through the Care and Support Economy Taskforce, should establish an ongoing governance function to coordinate workforce planning and ensure the development of a sustainable care and support workforce.

This function should collaborate across the Commonwealth, states and territories and have responsibility for:

- developing and overseeing a data strategy which incorporates data collection and demand and supply projections. This should be shared with industry to support providers, training organisations and workers to be responsive to changing market conditions.
- identifying workforce gaps and work across governments to develop targeted policy responses.
- monitoring and evaluating actions and disseminating ongoing learnings.

NDS is strongly in support of an integrated approach to develop the workforce of the care and support economy as a whole, using sector-specific strategies for guidance and to add nuance to this. Although the aged care and early childhood sectors have well established workforce strategies supported by government, the disability sector is at the start of the journey to developing the NDIS Workforce Strategy through the NDIS Workforce Industry Reference Group, co-chaired by NDS CEO Laurie Leigh and DSS.

NDS hopes that the combined work of the NDIS Review and Royal Commission, along with the development of the NDIS Workforce Strategy and the National Care and Support Economy (NCSE) Strategy will bring about a more diverse pricing structure within the NDIS that drives high quality supports, as well as reduced administrative burden – which the draft NCSE Strategy notes is a major contributor to workplace stress and burn out.

Since 2018, the Federal government has supported an industry-led workforce strategy for the aged care sector,¹³ including support for the Aged Care Workforce Industry Council. While NDS commends and supports the work of the Care and Support Economy Taskforce and the coordinated approach taken by the Department of the Prime Minister and Cabinet, the disability sector is currently without a workforce strategy to address its critical workforce needs.

Additionally, we recognise the crucial role of allied health professionals and assistants in the care and support economy. Around 90 per cent of respondents to

¹³ Aged Care Workforce Strategy Taskforce (2018) *A Matter of Care Australia's Aged Care Workforce Strategy*. <https://www.health.gov.au/sites/default/files/a-matter-of-care-australia-s-aged-care-workforce-strategy.pdf>

the 2022 SoTDS survey reported moderate or extreme difficulty recruiting allied health clinicians, while 67 per cent reported similar difficulties recruiting allied health assistants. This is especially acute in regional and rural areas, where we see a lack of training opportunities for locals, combined with a lack of accommodation and incentives for experienced staff to move into these areas. The NDS Workforce Census has previously revealed data that may point to the long-term national neglect of allied health workforce needs, which were unaddressed by the NDIS National Workforce Plan and unlikely to be fixed without a strategy in place.¹⁴

It is also true that the work of the sector and the contribution that it makes to the Australia economy has been significantly undervalued by government and the community more broadly. This must change.

This a critical time to design and implement disability sector specific workforce strategies, as well as coordinate reforms across the care and support economy, to ensure the sector remains viable and can deliver vital services now and into the future.

NDS is pleased to see that many workforce priorities identified through our engagement with providers have been reflected in the draft National Strategy for the Care and Support Economy (the draft Strategy). These include improving utilisation, promoting workforce attractiveness, focusing on workforce retention and career pathways, improving support for training and supervision, and regulatory harmonisation.

NDS hopes that the development of the Care and Support Economy Strategy will drive a more diverse pricing structure within the NDIS that drives high quality supports, as well as reduced administrative burden – which the draft Strategy notes is a major contributor to workplace stress and burn out. Any sector strategy should also focus on housing and accommodation for workers, which our members in many regional areas have reported remains a barrier to workforce development and provider choice for participants.

¹⁴ National Disability Services (2021) *NDS Workforce Census – December 2021*. https://www.nds.org.au/images/State_of_the_Disability_Sector_Reports/NDS_Workforce_Census_Key_Findings_December2021.pdf. Accessed 16/07/2023.

Recommendation 4: Streamlining worker screening processes.

The Australian Government, through the Regulatory Reform Division in the Department of Finance, should work with state and territory governments to improve and streamline worker screening processes for care and support workers.

The current processes for the NDIS worker screening check should be improved and streamlined without reducing the level of safeguards offered under the NDIS by:

- reducing worker screening processing times by removing the requirement that an application for employees needs to be verified by an employer (providers can link to workers after the clearance is complete).
- considering expanding work on application provisions to all jurisdictions with appropriate and aligned risk mitigation measures.
- exploring if NDIS worker screening checks could be recognised as fulfilling the requirement for Working with Children Checks (WWCC) and Police Checks, across all jurisdictions.
- improving the efficiency and quality of checks by minimising reliance on manual processes. This should include looking at opportunities to improve data sharing, systems design, IT requirements and draw on existing established identification systems (such as MyGov).
- providing greater ongoing transparency on end-to-end clearance times, with improved data quality to ensure comparability between jurisdictions. This should also include ensuring the aged care worker screening requirements being developed as part of the National Aged Care Worker Registration Scheme align with the NDIS worker screening check, and that checks are mutually recognised across programs.

NDS strongly supports uniform mandatory worker screening for all direct support roles in the disability sector. This important safeguard should exist whether somebody works for a provider or as a sole trader.

However, NDS member consultation has provided much feedback on the impact of delays in processing NDIS Worker Screening checks, as well as the financial and administrative burden associated with this. Providers carry the risk of having to engage staff prior to checks being completed, with uncertainty around the outcome and when this will be processed. These difficulties and long wait times hinder the progression of suitable new workers into the disability sector and have caused cancellation of vital student placements within disability services. This component of the regulatory environment must be built around the sector, rather than the other way around.

As such NDS is pleased to see the NDIS Review make recommendations to improve the NDIS Worker Screening check process and responds to each as follows:

- [Reducing worker screening processing times by removing the requirement that an application for employees needs to be verified by an employer \(providers can link to workers after the clearance is complete\).](#)

NDS strongly supports this recommendation. Our member consultation indicates that NDIS providers find it awkward to integrate the employer verification step into the worker application or onboarding process due to the potentially long (many months) delay in these clearances being given. This often causes potential workers to lose interest in the job and understandably seek work elsewhere. NDS has been unable to establish the benefit that this employer verification step adds to a worker screening process, prior to a worker being screened. The sector would benefit greatly if there was a “work ready” status indicating that the NDIS Worker Screening Check had been successfully cleared and the worker was now ready to begin applying for work, with confidence that a new or prospective employer would simply have to link to the worker’s clearance check number.

- [Considering expanding work on application provisions to all jurisdictions with appropriate and aligned risk mitigation measures.](#)

NDS strongly supports this recommendation to align application provisions for a national clearance process such as the NDIS Worker Screening Check, see below.

- [Exploring if NDIS worker screening checks could be recognised as fulfilling the requirement for Working with Children Checks \(WWCC\) and Police Checks, across all jurisdictions.](#)

Along with alignment of application provisions across all jurisdictions, NDS calls for alignment of worker clearance requirements in the disability sector, regardless of locality. NDS members report significant difficulties associated with operating across multiple states or territories due to the varying requirements that sit alongside the already cumbersome NDIS Worker Screening Check. It would be logical to decide which of these checks provides the most appropriate testing of a person’s suitability to work in the sector, then using this one clearance for entry to work.

This improvement would reduce the time, cost, and administrative burden associated with worker screening and onboarding to employment. NDS strongly endorses the need for uniform worker screening for direct support roles in the disability sector, whilst preserving crucial new workforce candidates from becoming dissuaded by the time the whole process currently takes.

- Improving the efficiency and quality of checks by minimising reliance on manual processes. This should include looking at opportunities to improve data sharing, systems design, IT requirements and draw on existing established identification systems (such as, but not limited to, MyGov).

NDS strongly supports this recommendation. Our industry consultation informs us that there are particular delays where workers: had a change of name or a common name (eg: John Smith), had moved back from interstate or overseas in the past few years, had older style hardcopy identification documents – especially marriage certificates, had changed or acquired citizenship, or had very minor offences recorded which had to be manually approved for a clearance to be issued. One example reported by a service provider involved a worker with a historic drink driving conviction, which then had to be manually investigated to ensure that no children or people with disability were involved/impacted in the offence. This presents the opportunity for offences to be tagged in a way that automatically registers if children or people with a disability were involved, irrespective of the nature of this impact, to at least allow faster clearance of minor/historic offences which would otherwise not preclude the issuance of a worker's NDIS screening check.

Rural and remote providers report significant delays associated with alternative lodgement of documents (where workers reside more than 2 hours' round travel time from a worker screening unit office) and cases where First Nations workers experience extended delays due to their birth not having been registered. NDS is also aware of many cases whereby workers have recently provided identity and similar documents to their state/territory worker screening unit for another purpose (eg: getting a new driver licence, proof-of-age card, etc) however these documents are requested once more when applying for their NDIS Worker Screening Check.

NDS strongly encourages efficiencies through automation, data sharing, systems design and drawing upon existing established identification systems.

- Providing greater ongoing transparency on end-to-end clearance times, with improved data quality to ensure comparability between jurisdictions.

NDS strongly supports this recommendation. It would be anticipated that with the implementation of all the above recommendations, end-to-end clearance times for NDIS Worker Screening Checks would be greatly improved. In any case, NDS would like to see greater transparency and data quality denoting the entire time it takes to complete worker clearance checks, *from* the date of initial application lodgement (at present, this would mean the date an application is lodged with the state or territory worker screening unit) *to* the date that an outcome is received by a worker.

Additional comments on NDIS Worker Screening Checks:

NDS has also heard feedback from providers wishing to engage workers through migration streams such as the PALM Scheme (noted under Recommendation 2). Providers have reported they find it impossible to engage NDIS workers through such migration streams due to the complexity of the NDIS Screening Check process for those living overseas.

Providers must be able to demonstrate they offer certainty of employment prior to a support worker being approved to migrate to Australia to work. To offer certainty of employment as a support worker, providers are required to ensure that all screening checks are completed. However, the documentation requirements for the NDIS Worker Screening Check make it largely prohibitive for non-Australian citizens living overseas to apply for such clearance. In addition to a primary identity document (such as a foreign passport linked with a valid Australian visa), potential workers overseas are also required to submit a “Category B” identification such as a Medicare card or Australian driver licence. Category B documents demonstrate that a person lives in the community using the name shown on their primary identification. This one step in the process acts as a blockage to nearly every type of migration stream for the NDIS workforce.

Further complicating matters, NDS has experienced difficulties in advocating for improvements to the NDIS Worker Screening Check process due to the involvement of the Federal, state and territory governments, along with multiple agencies such as the NDIS Commission, state/territory services and the Australian Crime and Intelligence Commission.

Whilst NDS acknowledges the need to maintain the rigour and accountability of worker screening checks, it is critical for all agencies and levels of government across jurisdictions to work collaboratively on making processes accessible to all potential workers, whether they live in Australian cities, rural or remote regions, or are migrating from overseas to work in the sector.

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