



Submission in response to:

Joint Parliamentary Inquiry into NDIS Quality and
Safeguards Commission

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Background

Assistive Technology Suppliers Australia (ATSA)

Assistive Technology Suppliers Australia (ATSA) welcomes the opportunity to respond to the Inquiry into the NDIS Quality and Safeguards Commission.

ATSA is a national organisation representing assistive technology (AT) suppliers, including manufacturers, importers, distributors, retailers, tradespeople and technicians.

David Sinclair, ATSA's Executive Officer and author of this submission, is a member of the NDIS Quality and Safeguards Commission Industry Consultative Committee.

Our 140 members comprise businesses and not-for-profit organisations and range from small family owned concerns to multinational organisations throughout Australia.

It is estimated that, excluding AT for communication and sensory disabilities, approximately 80% of the AT in Australia passes through the hands of ATSA members.

ATSA is a registered not for profit charity with the ACNC and requires that its members adhere to a comprehensive Code of Practice on the provision, sales and servicing of AT.

The Constitution of ATSA details our organisation's objectives:

The Company's Object is to advance health and social and public welfare by:

- (a) funding and promoting:
 - (i) research into Assistive Technology;
 - (ii) the education of the public as to the availability of Assistive Technology to meet the needs of persons with a disability;
 - (iii) "Best practice" in the way Assistive Technology is supplied; and
 - (iv) community accessible Assistive Technology events;

- (b) giving the Assistive Technology users and suppliers a voice that:
 - (i) provides positive influence on Government policy;
 - (ii) educates Governments and other stake holders about Assistive Technology;
 - (iii) promotes a robust, competitive and commercially viable marketplace with the aim that Assistive Technology is available to users at a reasonable cost;
 - (iv) advocates to achieve excellence, quality, value and positive outcomes for suppliers, Assistive Technology users, stakeholders and the broader community;
 - (v) works with governments at all levels to ensure the viability of the Assistive Technology industry for the sake of those who use Assistive Technology; and
 - (vi) delivers quality and value in Assistive Technology solutions for people with disability and their carers;

- (c) improving the quality of Assistive Technology provision by:
 - (i) supporting the ongoing training and education of health care professionals;
 - (ii) promoting ethical business practices that safeguard the interests of users of Assistive Technology;
 - (iii) participating in the development of appropriate and cost-effective product standards; and
 - (iv) maintaining and enhancing services standards, quality and reputation of the Members for the collective mutual benefit and interests of the Members and the public;

- (d) developing alliances with all industry stakeholders to:
 - (i) drive continued improvement in outcomes for Assistive Technology users;
 - (ii) minimise the total lifetime costs of Assistive Technology on society and Assistive Technology users;
 - (iii) ensure an open, fair and competitive market; and
 - (iv) promote the services, activities and events of the Company; and

- (e) undertaking such other actions or activities that are necessary, incidental or conducive to advance this Object.

In summary,

ATSA requires members to act within a strict framework of ethical behaviour to ensure that the supply and quality of AT solutions is delivered to ensure the best interests of the consumer are upheld. Many consumers of AT have a high dependency on these products to provide a certain level of quality of life. Therefore, we believe it is paramount to maintain high quality and safe practices.

The Australian Assistive Technology Industry

A viable and competitive Assistive Technology provider sector is pivotal to ensuring choice and flexibility for people with disability and older people in Australia, meeting their clinical needs so that they are best equipped to be able to live their life with dignity.

Australians with disability have access to most of the world's leading AT solutions through a network of specialist AT retailers.

The extensive diversity of products and services provided by our membership's businesses is remarkable in a market of just 24 million people. It enables not only choice but value to meet the best clinical outcomes for the individual.

Services to the sector from AT suppliers include: research and development, innovation, sourcing new products, training allied health practitioners, standards testing and compliance and regulatory compliance with the Therapeutics Goods Administration.

The industry generally provides trials of AT products, for the more complex devices, at no charge.

Pre-sale services to individual AT users include provision of information, advice, detailed assessment and development of specifications for an AT solution and quotations. Our industry is dedicated to identifying the most suitable solution for the user of AT and draws on an extensive range of products that include configured and adjustable devices to ensure a tailored solution for the individual. It is also common for in-home trialling to confirm the AT suitability.

Post-sales services include delivery, set-up, adjustment, training, and ongoing support/advice, maintenance, repairs and spares. All of these services are undertaken to ensure a good fit between the consumer and their AT, and often require considerable specialised expertise and experience.

Inquiry into the NDIS Quality and Safeguards Commission Terms of Reference:

This submission is primarily related to the following terms of reference:

- c. The adequacy and effectiveness of the NDIS Code of Conduct and the NDIS Practice Standards;
- d. The adequacy and effectiveness of provider registration and worker screening arrangements, including the level of transparency and public access to information regarding the decisions and actions taken by the Commission.

Recent changes to registration procedure by the Quality and Safeguards Commission

From January 1 this year the Commission agreed with changes to the NDIS Provider Registration and Practice Standards for Assistive Technology Suppliers, effectively reducing the audit from a certification requirement to one of verification as they were identified as providing 'low-risk' supports.

Linked to the above decision, the Commission also repealed the requirement for a certification audit for providers that are bodies corporate. Bodies corporate now undergo an audit based on their registration group requirements rather than organisational structure. Bodies corporate can now be assessed under verification if they provide low risk registration groups only.

The Commission did not remove the requirement for the correct policies, procedures and record keeping to be in place and adhered to by individual organisations.

Businesses still must demonstrate that their workers have all relevant qualifications, expertise and experience and have up to date:

- Incident management processes/policies
- Complaints management processes/policies
- Risk management processes/policies

All such requirements are included in ATSA's own Code of Practice.

ATSA had campaigned for, and greatly appreciates, these changes.

The challenge for very small multi-purpose businesses.

Notwithstanding the above changes, ATSA has become aware of a number of its members who are choosing not to register with the NDIS or to allow their registration to lapse.

These businesses are usually very small and often they are

- sole operators;
- run mixed businesses such as general equipment suppliers (pushbikes, motor scooters, lawnmowers etc) who also have a limited number of mobility devices among their products;
- are located in rural and regional locations, not well serviced by other providers;

- are small scale home modification builders who do kitchen or bathroom refurbishments, install decks or replace roof guttering but are also able to install ramps, support rails and widen doorways.

The reasons these businesses have chosen not to register for the NDIS relate to the significant administrative burden of registering. For a one or two person business even the verification requirements can be substantial.

ATSA is not seeking to avoid the appropriate scrutiny of these businesses. As the Committee would be aware, unregistered providers still need to:

- comply with the NDIS Code of Conduct;
- maintain an in-house complaints system; and
- comply with any professional registration requirements.

And anyone can make a complaint against a business regardless of whether they are registered or not.

Also, ATSA does recognise that these operators can continue to provide services to self managed and plan managed NDIS participants but, currently the majority of participants remain agency managed.

Recent statistics from the NDIA's latest quarterly report indicate that the national rate of fully self-managing participants is 19%, those partly self-managing is 12%, and people plan managing some of their plan is 38%.

More significantly, 64% of the whole NDIS plan budget is agency managed, which means that it is only available to registered providers.

What does ATSA Recommend?

- 1) That the Committee give consideration to recommending the NDIS Quality and Safeguards Commission give consideration to a third tier of registered providers.
- 2) These organisations would be limited to:
 - those with a turnover of less than \$1m per year;
 - no more than 5 permanent full-time employees;
 - whose provision of assistive technology equipment or home modification services to people with disability comprises less than 50% of annual turnover.
- 3) Owners and employees of the business would be required to undertake Police and Working with Children checks, maintain an in-house complaints system and comply with the NDIS Code of Conduct.

Conclusion

The advantages of such a system is that it enables long term providers of AT to continue to provide services to all NDIS participants.

It maintains appropriate quality checks on organisations without unduly burdening them with registration red tape. The NDIS quality and safeguarding compliance requirements for these providers are significant and still important to keep people safe but certainly less rigorous than for certified or verified providers.

It would also increase the choice and control of participants, and supports local communities by enabling participants to continue to access local suppliers, who are often in small regional locations.