



Ms Michelle O'Flynn
Director
Queensland Advocacy Incorporated
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Dear Ms O'Flynn

Thank you for your emails of 4 and 27 March 2020 to the NDIS Quality and Safeguards Commissioner (NDIS Commissioner), Mr Graeme Head AO, about supports and services to all people with a disability to be classified as an essential service, and support for providers. The NDIS Commissioner has asked me to reply to you on his behalf.

NDIS providers have obligations under the [NDIS Code of Conduct](#) and the [NDIS Practice Standards](#), to manage risks and provide supports to participants in a safe and competent manner, and to reduce the exposure of participants and workers to the virus while maintaining essential services. The oversight of these requirements and the obligation of providers to support participants continue unchanged throughout this period, and are more important than ever.

Registered NDIS providers are required to ensure continuity of support requirements are in place and should work with the NDIS participants they support to establish plans for that continuity.

The NDIS Commissioner has issued a notice to all registered NDIS providers requiring them notify us when changes to support provision occurs, or where there is a direct COVID-19 related situation that requires a change. This is an important mechanism for us to oversight the nature of changes being put in place by providers.

The NDIS Commission and NDIA also has arrangements in place to actively support participants who may experience temporary disruptions to some supports and services, so that continuity is maintained. Providers must abide by the orders of their local state and territory authorities, and most of the changes being made to the manner in which supports are delivered to NDIS participants are being done to meet the requirements of those orders. The NDIS Commission does not determine the services and supports that can or cannot be delivered during this period, these are determined by state and territory governments.

I draw your attention to the information on the NDIS Commission website for participants and also providers. [Provider Alerts](#) and guidance material has been issued to providers to remind them of these obligations. In response to your concern of an increase in the use isolation, the NDIS Commission has published a [Behaviour support and restrictive practices](#) fact sheet to guide NDIS providers on supporting people while restrictions on community movement are in force due to COVID-19. We are monitoring reports of unauthorised use restrictive practices through our reportable incidents function.

Recognising the particular needs of people with disability through the COVID-19 pandemic period, on 3 April 2020, the Ministers Robert, Hunt and Ruston made a significant announcement regarding the development of a National Management Plan for people with disability.

The plan will form part of the Australian Health Sector Emergency Response Plan for the COVID-19 and will guide how the health care needs of people with disability, must be met during the pandemic. This work is being overseen by an Advisory Committee of national experts in disability and primary health, and includes representatives of people with disability including people with lived experience.

The NDIS Commission continues to, and has been working closely with the National Disability Insurance Agency (NDIA), DSS, Commonwealth Department of Health, and state and territory health agencies to prepare and support participants and providers during the COVID-19 pandemic.

Thank you again for bringing your concerns to the NDIS Commission's attention.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S. Taylor', with a horizontal line extending to the left.

Samantha Taylor
Registrar

14 April 2020