

Disability Worker Registration Scheme

FACT SHEET – For People With Disability

Victorian Disability Worker Commission

Why are we developing a Victorian Registration Scheme?

In August 2018, the Victorian Parliament passed the *Disability Service Safeguards Act 2018* (the Act) to improve the quality of disability care and service standards across the community, and establish a registration scheme, including providing for approved accreditation standards, and providing for an approved Code of Conduct for the disability workforce.

The scheme commences in July 2020 and forms part of the Victorian Government's 'zero tolerance' approach to the abuse of people with a disability.

The scheme aims to:

- ensure people with disability receive high quality services
- ensure workers have the necessary skills, experience and qualifications to provide quality services
- stop people who pose a serious risk of harm from providing disability services in Victoria
- enable people with disability to exercise greater choice and control in their lives

About the Registration Scheme:

The new scheme will have:

- a registration system for disability workers, who will be screened for their suitability to provide disability care and services, including an up-to-date, publically available Register of Disability Workers
- powers to set and monitor minimum registration standards, and to accredit disability qualifications and programs of study that meet the standards
- the ability to assess the suitability or performance of registered workers, and place conditions on registration, if necessary
- a Code of Conduct which sets minimum standards of conduct expected of unregistered disability workers
- the ability for breaches of the Code of Conduct to be investigated, and powers to restrict or prevent an unregistered worker from continuing to deliver services if they present a serious risk
- the ability to receive, investigate and respond to complaints and notifications about all disability workers, and students in Victoria, regardless of registration status
- the ability to resolve complaints through conciliation and agreement, where appropriate
- a register of all unregistered disability workers who are prohibited from providing disability services

How will the scheme align with NDIS quality and safeguarding arrangements?

The Victorian Scheme will complement the safeguards under the National Disability Insurance Scheme (NDIS). The NDIS Quality and Safeguards Commission (the NDIS Commission) registers and regulates service providers, whereas this scheme will register and regulate individual disability workers.

The NDIS Commission has the power to ban unfit workers from delivering NDIS funded supports. The Victorian Scheme will also have the power to ban workers from providing disability services if they present a serious risk to health and safety.

Who will the scheme apply to?

The scheme will apply to all disability workers in Victoria, provided they meet the definition of a 'disability worker' under the Act, regardless of whether or not the disability services are part of the NDIS, funded through any other scheme, including the Transport Accident Commission (TAC) and WorkSafe Vic (WSV), or privately funded.

This includes volunteers who provide disability services on behalf of an organisation or agency. It will not apply to family members of a person with disability, (unless the family member receives payment or other reward for providing the service). This will ensure that all Victorians with disability benefit from the same safeguards.

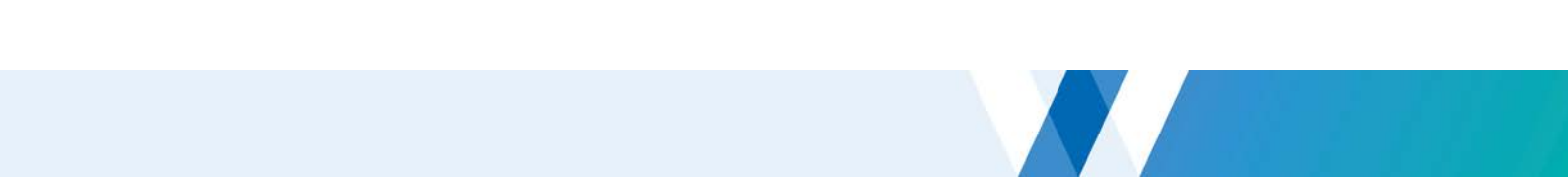
Who will run the scheme?

An independent regulator will be established to run the scheme, made up of the following parts:

- a Disability Worker Registration Board of Victoria – responsible for setting standards for registration and accreditation of approved programs of study. The Board will register disability workers that meet the standards and respond to complaints about registered disability workers.
- a Victorian Disability Worker Commissioner – the Head of the Commission and responsible for regulating the conduct of unregistered disability workers.
- a Victorian Disability Worker Commission – will receive and investigate complaints, support the Board and Commissioner and maintain a register of disability workers and prohibited workers that is accessible to the public.

How will the scheme improve quality of care and service standards across the community?

The *Victoria Parliamentary Inquiry into Abuse in Disability Services* heard evidence of the widespread nature of abuse and neglect of people with a disability over a long period of time. It found that more effective safeguarding and measures are necessary to increase the skills and capability of disability workers to respond to quality of care and service demands.



At the moment, it can be difficult to easily understand and compare the skills and expertise of disability workers, and there are a variety of different job titles that are used within the disability sector. This makes it hard for people with a disability and others, to choose a suitable worker to provide services and support. Under the new Victorian scheme, only workers who have met the standards required to become registered, will be legally able to use titles such as 'Registered disability support worker' and 'Registered disability practitioner'.

For people with a disability, their families and carers, current and reliable information will be available to enable them to make more informed choices about workers who are best placed to deliver supports and services.

They can be confident that registered workers will be appropriately screened and provide better quality services, as they will have undertaken fit-for-purpose training, attained accredited qualifications, and met all of the standards required to register.

In the event that an issue arises about the professional conduct of the disability worker, the regulator will be available to assist the person with a disability to make a complaint and to find the right place to deal with that complaint. People with disability will be better protected from abuse and neglect because the regulator will have powers to remove unfit workers from providing disability services, if necessary, and to investigate and resolve complaints, where appropriate.

Disability service providers can be confident when recruiting registered workers that the regulator has thoroughly checked the qualifications and probity of the worker.

As a result, registration of workers will help lift the quality of care and service standards across the entire Victorian disability community, as well as foster trust and confidence in the profession.

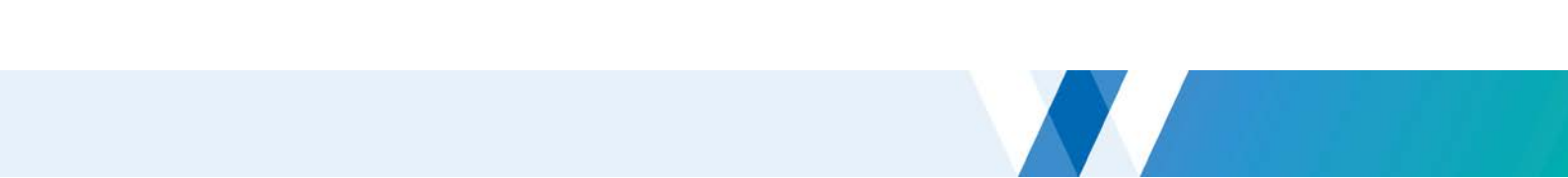
What does this mean for Victorians with disability, their families and carers?

Choice and control will be central to the Victorian Scheme, allowing people with disability to choose with confidence the right workers for them.

To support informed choice, current and reliable information about disability workers registration status, qualifications and suitability to work will be easy to access via on-line registers maintained by the Commission.

This will provide you and your family members with an added layer of assurance by providing reliable and current information about the workers that you have chosen to provide your supports and services.

The Victorian scheme will also provide a central point where any person can make a complaint or report concerns about the quality and safety of services provided by disability workers - even if they are an unregistered worker.



The Commission will ensure that the complaint is dealt with by the right organisation, and that appropriate protections are put in place for people with disability when there is an ongoing risk.

Will I be able to choose a registered disability worker to support me?

Registration is voluntary for disability workers, although some employers may elect to make registration a condition of their workers' employment in specified roles.

As a person with disability, you may prefer to choose a registered worker to support you and provide the services you require, knowing that they have been screened for their safety and suitability.

In order to be registered under the scheme, disability workers will have undergone a criminal history check and be required to meet standards which may include professional indemnity insurance, continuing professional development and English language skills. Therefore, you and your family may have greater confidence and the assurance that you are choosing the right person to meet your needs safely.

Over time, as recognition of the advantages of registration for disability workers grows, it is anticipated that the proportion of disability workers who are registered expands, leading to higher levels of accredited training and professionalisation of the disability workforce.

When will the scheme commence?

The registration scheme commences on 1 July 2020. During 2019-20, the Board and Commission will be appointed and will consult widely about the new arrangements, including development of registration standards for workers, accreditation standards for education providers, and the Code of Conduct for unregistered disability workers.

The Board will also publish its approach to how existing disability workers may become registered and the transitional arrangements for recognising prior qualifications and experience including details of the process and application forms.