

Ms FYLES (Attorney-General and Justice): Madam Speaker, I move that the bill be referred to the Economic Policy Scrutiny Committee for report by Tuesday, 11 February 2020.

Motion agreed to.

**NATIONAL DISABILITY INSURANCE SCHEME (WORKER CLEARANCE) BILL
(Serial 110)**

Ms FYLES (Disabilities): Madam Speaker, I present a bill entitled the National Disability Insurance Scheme (Worker Clearance) Bill 2019 and table a copy of the explanatory statement and a statement of compatibility with human rights as defined in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

I move that the bill be now read a first time.

The purpose of this bill is to establish National Disability Insurance Scheme worker screening arrangements in the Northern Territory to prevent workers who pose a risk to NDIS participants from working in certain roles. The bill supports the rights of people with a disability to live an independent life free from abuse, violence, neglect and exploitation. It is key to the delivery of quality and safe services under the NDIS. The bill satisfies the Northern Territory's commitment made to the Commonwealth and other jurisdictions in the Intergovernmental Agreement on Nationally Consistent Worker Screening—IGA.

The NDIS Quality and Safeguarding Framework endorsed by the Council of Australian Governments, COAG, in December 2016 committed states and territories to establish and operate nationally consistent worker screening arrangements in each jurisdiction, including the development of legislation. A nationally consistent worker screening system can only be effective through the cooperative efforts of the Commonwealth, states and territories.

In June 2018, the Northern Territory Government agreed to the National Disability Insurance Scheme (Practice Standards—Worker Screening) Rules 2018. The NDIS rules are legislative instruments made under the NDIS act, which set out in greater detail the operational aspects of the NDIS.

The rules set out the requirements relating to worker screening and establish key elements, including:

- practice standards relating to the screening of workers and other personnel
- record keeping requirements for worker screening
- transition arrangements to provide for the staged implementation of the national policy for NDIS worker screening, including risk mitigation strategies for each jurisdiction during the transition phase.

The IGA provides the policy framework for this bill. The development of the IGA was undertaken collaboratively between the Commonwealth, states and territories to support a nationally consistent approach, which is important. This included consultation with peak bodies representing people with disability, carers, service providers and workers engaged in the provision of services and supports for people with disability.

The Working with Children check—or Ochre Card—is the Northern Territory's current worker screening process and the interim check for people working with NDIS participants. The *Care and Protection of Children Act 2007* and its subordinate Care and Protection of Children (Screening) Regulations 2010 provide the legislative basis for the Ochre Card worker screening checks. Territory Families owns the legislation and the Northern Territory Police, Fire and Emergency Services, through SAFE NT, administer the worker screening agency. The NDIS worker screening clearance will not replace the Ochre Card, but will provide additional protection for vulnerable people, including children, who are NDIS participants.

The Northern Territory's existing worker screening legislation does not provide authorisation for several of the nationally consistent NDIS requirements specified in the IGA. Some of the key requirements it needs to include are:

- exclusion from receiving a clearance, with no right to appeal, due to a person having committed a disqualifying offence
- obligations on excluded workers to declare their NDIS excluded outcome to NDIS employers or NDIS participants