



A new NDIS Worker Check will be introduced in NSW from 1 July 2019. Until then, transitional NDIS worker screening arrangements are in place in NSW. This factsheet is to help NDIS providers and workers understand these requirements.

### From 1 July 2019, there will be new worker screening requirements for people delivering NDIS services

Under the quality and safeguards arrangements for the NDIS, the roles and responsibilities for worker screening have changed in the following ways:

- The NDIS Quality and Safeguards Commission is responsible for national worker screening policy and design, and for ensuring providers comply with worker screening requirements. Read more about national worker screening at [www.ndiscommission.gov.au](http://www.ndiscommission.gov.au).
- Providers should familiarise themselves with the requirements set out in the National Disability Insurance Scheme Act 2013 (Commonwealth) and the related National Disability Insurance Scheme (Practice Standards-Worker Screening) Rules 2018.
- Providers are responsible for determining which of their workers need a clearance, making sure they obtain a clearance and record keeping in relation to this.
- NSW will undertake the screening of those workers that need a clearance once the new NDIS Worker Check comes into effect from 1 July 2019. More detail about the new check and the process for phasing providers into this will be available closer to the time.

### Transitional arrangements will apply until 1 July 2019

From 1 July 2018 until 1 July 2019 workers who require a clearance will need to have either:

- **a national criminal records check** which shows no conviction for a prescribed criminal offence within the meaning of the Disability Inclusion Act 2014 (NSW):
  - workers employed before 1 July 2018 must have undertaken this check within the past 4 years





- workers employed between 1 July 2018 and 1 July 2019 must have undertaken this check within the past 2 years; or
- a **NSW Working with Children Check**, but only if their disability work involves working with children as specified under the Child Protection (Working with Children) Act 2012 (NSW).

A list of providers accredited to help people apply for and submit a policy check application is available on the Australian Criminal Intelligence Commission website. Go to: <https://www.acic.gov.au/our-services/national-police-checking-service/find-out-more-information/accredited-bodies>

Applications for a NSW Working with Children Check can be made to the Office of the Children's Guardian. Go to: <https://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check>

### Who needs to get a clearance?

Workers in a 'risk assessed' role must have a clearance (or make an application for a clearance) before they can start work.

Disability service providers are responsible for determining which roles in their organisation are a risk assessed role. This includes:

- Key personnel in an organisation.
- A role whose normal duties includes the direct delivery of a specified support or service.
- A role in which the normal duties are likely to involve more than incidental contact with a person with disability. More than incidental contact includes:
  - Physical contact.
  - Building a level of rapport with the person with disability as an integral or ordinary part of duties.
  - Having contact with multiple people with disability, either as part of the direct delivery of a specialist disability support or service, or in a specialist disability accommodation setting.