




Speech By
Barry O'Rourke

MEMBER FOR ROCKHAMPTON

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DISABILITY SERVICES AND OTHER LEGISLATION (WORKER SCREENING) AMENDMENT BILL

 **Mr O'ROURKE** (Rockhampton—ALP) (3.48 pm): I rise to speak in support of the Disability Services and Other Legislation (Worker Screening) Amendment Bill 2018. This bill will achieve its objectives by enabling Queenslanders to exchange expanded criminal history information with other worker-screening units in other states and territories for the purpose of the National Disability Insurance Scheme worker screening. This will be achieved by expanding the existing framework that is in place under the Police Service Administration Act and will allow the sharing of expanded criminal history information.

The Intergovernmental Agreement on Nationally Consistent Worker Screening and the NDIS have been developed to support the implementation of a nationally consistent approach to worker screening. Under the NDIS the administration of worker screening and criminal history monitoring will remain the primary responsibility of the states and territories with consistent policies and principles as agreed to and will be adopted in each jurisdiction through appropriate legislation, policy and practices.

On 9 December 2016 the Council of Australian Government agreed to the NDIS Quality and Safeguarding Framework. This framework will apply in Queensland at full implementation of the NDIS. Under the framework all jurisdictions have agreed to a nationally consistent approach to worker screening including the assessment of an expanded range of criminal history information. The full implementation in Queensland of the NDIS does not commence until 1 July 2019. However, legislative amendments are required during the transition to enable Queensland to meet its information-sharing obligations for worker screening with other jurisdictions as they have already commenced full implementation of the NDIS worker screening.

The bill will amend the Police Service Administration Act to allow the same consistent information to be shared by Queensland police with other worker-screening units in other jurisdictions. It will allow the Queensland Police Service to share expanded criminal history information such as spent convictions, pending charges and non-conviction charge information which otherwise would not be shared. The bill will achieve this by ensuring that sole traders operating as NDIS providers in Queensland during the transition to full implementation of the NDIS must undergo criminal history screening and have a positive notice and a yellow card.

The bill does this by clarifying sole traders; requiring a sole trader to have a yellow card before they can commence providing disability services, unless they have a current blue card that is not suspended and they have made application for a yellow card exemption, or they have applied for the renewal of the yellow card 30 days prior to expiry; ensuring that the current exemptions apply to sole traders; expanding identification requirements; expanding the disclosure requirements; and clarifying offence and penalty provisions. These changes will ensure that screening takes place regardless of

whether a person is self-employed in the delivery of disability services or is engaged by a service provider. This bill will ensure consistency and safeguards for people with disabilities and some of our most vulnerable people in Queensland.

I would also like to thank the other committee members and the committee secretariat. I commend the bill to the House.