




Speech By
Joan Pease

MEMBER FOR LYTTON

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DISABILITY SERVICES AND OTHER LEGISLATION (WORKER SCREENING) AMENDMENT BILL

 **Ms PEASE** (Lytton—ALP) (3.37 pm): I rise to speak in support of the Disability Services and Other Legislation (Worker Screening) Amendment Bill 2018.

Mr McArdle: The best committee in the House.

Ms PEASE: I agree completely. I will take that interjection. The National Disability Insurance Scheme, or NDIS, is one of the most significant social policy reforms undertaken in Australia. The NDIS is the new way of providing support for Australians with disability, their families and their carers. The NDIS supports people with a permanent and significant disability including people whose disability is an intellectual, sensory or physical impairment or a psychiatric condition to participate in all aspects of life.

Under the NDIS, people who meet the eligibility criteria will have access to reasonable and necessary support that enables them to achieve their goals and aspirations which include social and economic participation. Disability services will be provided over a person's lifetime where they need it. A key tenet of the NDIS is that participants will have choice and control over their disability supports including being able to choose who provides that support, how that support is delivered and managed and, importantly, paying for those supports.

Participants purchase those supports and pay for those supports themselves through their package. Therefore, it is imperative that there is a robust and consistent quality and safeguards arrangement under the scheme. The Disability Services and Other Legislation (Worker Screening) Amendment Bill proposes amendments to the Police Service Administration Act 1990 and the Disability Services Act 2006 to ensure these safeguards. The bill includes amendments which will enable sharing of expanded criminal history information by the Queensland Police Service with other states and territories to ensure holistic risk assessments are able to be undertaken for NDIS worker screening. The bill will also clarify existing screening requirements for sole traders during this transition period until full scheme implementation of the NDIS in Queensland.

The Commonwealth, states and territories have developed an intergovernmental agreement, or IGA, to enable nationally consistent worker-screening policies and principles to be adopted in each jurisdiction. This IGA will support the NDIS Quality and Safeguarding Framework. The IGA provides for the sharing of expanded criminal history information across all jurisdictions to ensure holistic risk assessments can be undertaken. 'Expanded criminal history information' is defined to include any conviction, spent conviction, pending charge and non-conviction charge information held by a jurisdiction's police services.

This is similar to the existing intergovernmental agreement for the exchange of criminal history information for people working with children, which allows law enforcement agencies to share expanded criminal history information for the purpose of child related employment screening. Each state and territory needs to implement legislative changes to enable the sharing of expanded criminal history information between defined NDIS worker-screening units in each jurisdiction.

The bill makes changes to the PSAA to allow the Queensland Police Commissioner to share expanded criminal history information with other jurisdictions for the purpose of disability related employment screening. These amendments are necessary to support New South Wales and South Australia when NDIS worker-screening operations commence in those jurisdictions.

Sole traders are an emerging cohort of service providers in the NDIS market. The bill clarifies that sole traders, like all other providers of disability services in Queensland, are required to undergo criminal history screening in accordance with the current provisions under the DSA, or the yellow card system, during the transition period. This will ensure consistency of safeguards for people with a disability.

To support these objectives, the bill clarifies that sole traders delivering prescribed disability services are required to be screened and requires sole traders to have yellow cards before they can commence providing disability services, unless they have a current blue card that is not suspended and they have made an application for a yellow card exemption, or they have applied for renewal of their yellow card 30 days prior to expiry but the application has not been decided at the time of the expiry.

Further, the bill ensures that existing exemptions from screening continue to apply for sole traders; expands identification requirements to ensure that sole traders have their identities verified by a prescribed person, which is a justice of the peace, commissioner for declarations, lawyer or police officer; requires sole traders to disclose any changes in criminal history to the chief executive of the department; and clarifies how relevant offence and penalty provisions apply to sole traders.

I would like to thank the committee chair, the member for Thuringowa, and my parliamentary colleagues who were on the committee with me. We worked tirelessly on reviewing this legislation. I would also like to echo the words of the member for Caloundra to thank the secretariat for their work on this as well as their work on current and upcoming committee work. I commend the bill to the House.