




Speech By
Aaron Harper

MEMBER FOR THURINGOWA

Record of Proceedings, 3 December 2020

**DISABILITY SERVICES AND OTHER LEGISLATION (WORKER SCREENING)
AMENDMENT BILL**

 **Mr HARPER** (Thuringowa—ALP) (12.49 pm): I rise to speak in support of the worker screening bill 2020. The Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee of the 56th Parliament considered the Disability Services and Other Legislation (Worker Screening) Amendment Bill 2018. As the former chair, I thank and acknowledge those members of the former health committee for their consideration and note that a single recommendation was made: that the bill be passed. I take this opportunity to thank particularly the former deputy chair, Mark McArdle, who probably has his toes in the warm waters around Caloundra—hopefully with something in his hand and observing the new member for Caloundra, with great interest I am sure. I worked with Mr McArdle for five years on the health committee of the 55th and 56th parliaments, and now I look forward to working with the new deputy chair over the coming term.

This bill was introduced in the 56th Parliament and lapsed on the dissolution of that parliament. It would be remiss of me not to acknowledge the former minister and former member for Mundingburra, Coralee O'Rourke, and her department for all of their hard work on this bill in supporting Queensland's transition to NDIS worker screening.

The National Disability Insurance Scheme is transforming the way Australians with a disability obtain support services and, once again, Queensland is leading the way in being the first state to sign up to the scheme. It is ambitious, major national reform jointly governed and funded through a partnership between the Commonwealth and the state and territory governments. Put simply, we want the best people looking after those with a disability in Queensland.

This bill is substantially the same as the lapsed bill. Minor amendments have been made to ensure the bill operates as intended. This includes, for example, clarifying provisions in relation to notifying NDIS participants in relation to screening outcomes, ensuring review rights are clear and clarifying transitional arrangements that apply to yellow card holders and blue card holders. The previous bill set the wheels in motion to see a nationally consistent standard of worker screening to ensure those with a disability had the certainty that those who provide care for them had the appropriate background checks and that there were safeguards in place.

In July 2019 the NDIS Quality and Safeguarding Framework and the NDIS Quality and Safeguards Commission commenced operation in Queensland. NDIS worker screening was proposed to commence but was delayed because of policy and operational issues. In July 2020, again worker screening was due to commence but was delayed due to the impacts of COVID-19. Transitional arrangements under the NDIS worker screening rules continued as yellow and blue card are acceptable checks.

The date of 1 February 2021 is the nationally agreed date to commence worker screening. With the passing of this bill Queensland will retain separate, state based disability worker screening for disability outside the NDIS. However, Queensland must implement the national policy as outlined in the

Intergovernmental Agreement on Nationally Consistent Worker Screening for the NDIS, signed by the Premier in May 2018. For this to occur, legislative amendments to the Disability Act 2006 are required. Amendments are also required to the Working with Children (Risk Management and Screening) Act 2000 to ensure the blue card system operates effectively and efficiently with disability worker screening.

This bill strengthens safeguards for people with disability by expanding the scope of people who require screening, broadening the range of information considered as part of the check, expanding the disqualifying framework for serious and disqualifying offences, implementing ongoing monitoring of national criminal history, and strengthening the decision-making process and clearances and exclusions recognised in other jurisdictions. This bill also streamlines the disability screening system in Queensland by establishing an online application process, improving information sharing with Blue Card Services and strengthening and streamlining the identity-checking process and the portability of clearances across jurisdictions.

In relation to the scope of screening and exemptions, there will be no exemptions to NDIS worker screening except for secondary school students on work experience. The bill and regulations propose to implement new requirements for the application process—no card, no start. Workers must have a clearance before they can start working.

I am pleased to support this bill to support Queensland's implementation of nationally consistent worker screening under the National Disability Insurance Scheme. The broad objective of NDIS worker screening is to help safeguard people with disability from risk of harm by establishing a scheme to screen workers who provide NDIS supports and services.

In addition to introducing a new NDIS worker screening check, the bill will continue existing state disability worker screening for services that are outside of the jurisdiction of the NDIS Quality and Safeguards Commission. The bill, as I said earlier, will amend the Disability Services Act 2006 and enhance safeguards already in place under our existing systems to screen people working or volunteering with people with disability. The bill will expand the scope of screening that occurs. The bill will also strengthen the identity-checking process and streamline the application process by allowing individuals to make an application for a clearance which must be verified by their employer. I commend the bill to the House.